

- SUBJECT:** Creation of municipal courts of record in Trophy Club
- COMMITTEE:** Judicial Affairs — favorable, without amendment
- VOTE:** 6 ayes — Thompson, Hartnett, Capelo, Deshotel, Talton, Uresti
1 nay — Garcia
2 absent — Hinojosa, Solis
- WITNESSES:** For — Matthew Boyle, Town of Trophy Club
Against — None
- BACKGROUND:** Municipal courts have concurrent jurisdiction with justice of the peace courts in misdemeanor cases resulting from violations of state laws within the city limits. These courts hear cases of city ordinance violations, traffic misdemeanors, fine-only offenses, and Class C misdemeanor offenses. Municipal courts generally are not of record and appeals from them are by trial *de novo* (a completely new trial) in the county court, county court at law, or district court.
- Government Code, ch. 30 establishes uniform standards for municipal courts of record for municipalities specifically listed. Municipal courts of record are municipal courts where the record of the trial is reduced to writing at the request of either party or at the direction of the court. Appeals from these courts are based on the trial record rather than a trial *de novo*.
- DIGEST:** HB 3671 would allow the Town of Trophy Club, located in Tarrant and Denton counties, to create a municipal court of record. Cases appealed from the municipal court of record would be heard in appellate courts which would be the county courts at law in Denton County that have criminal appellate jurisdiction.
- The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2001.

NOTES: The companion bill, SB 1794 by Nelson, was reported favorably, without amendment, and recommended for the Local and Uncontested Calendar by the Senate Intergovernmental Relations Committee on April 25.

A related bill, HB 2053 by Clark, intended to clarify that municipal courts of record may be created either by statute or by city ordinance, is on the Tuesday General State Calendar.