

**SUBJECT:** Creating a municipal court of record in Laredo

**COMMITTEE:** Judiciary — favorable, without amendment

**VOTE:** 7 ayes — Hartnett, Homer, Hopson, Alonzo, Gonzales, Hughes, Krusee  
0 nays  
2 absent — R. Cook, Goolsby

**WITNESSES:** For — Mario A. Martinez, city of Laredo  
Against — None  
On — Lois Wright, Texas Municipal Courts Education Center

**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 2617 would amend Government Code, ch. 30 to allow the city of Laredo to create a municipal court of record and would establish judge and clerk positions.

The bill would take immediate effect upon two-thirds record vote of the membership of each house. Otherwise it would take effect September 1, 2007.

NOTES:

HB 2617 originally was sent to the Local and Consent Calendars Committee, which transferred it to the Calendars Committee.

According to the fiscal note, the salaries for a municipal judge and clerk already are included in the Laredo city budget, so the bill would require no additional cost to the city.