

By: Harris

S.B. No. 922

A BILL TO BE ENTITLED

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AN ACT

relating to the appointments and duties of Tarrant County criminal magistrates.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subsection (b), Section 54.651, Government Code, is amended to read as follows:

(b) Each magistrate's appointment must be made with the ~~[unanimous]~~ approval of at least two-thirds of all the judges described in Subsection (a).

SECTION 2. Subsections (b) and (c), Section 54.656, Government Code, are amended to read as follows:

(b) A magistrate may accept a plea of guilty ~~[for a misdemeanor]~~ from a defendant charged with misdemeanor, felony, or both misdemeanor and felony offenses.

(c) A magistrate may select a jury. A magistrate may not preside over a trial on the merits, whether or not the trial is before a jury.

SECTION 3. Subsection (a), Section 54.658, Government Code, is amended to read as follows:

(a) Except as limited by an order of referral, a magistrate to whom a case is referred may:

- (1) conduct hearings;
- (2) hear evidence;
- (3) compel production of relevant evidence;

- 1 (4) rule on admissibility of evidence;
- 2 (5) issue summons for the appearance of witnesses;
- 3 (6) examine witnesses;
- 4 (7) swear witnesses for hearings;
- 5 (8) make findings of fact on evidence;
- 6 (9) formulate conclusions of law;
- 7 (10) rule on a pretrial motion;
- 8 (11) recommend the rulings, orders, or judgment to be
9 made in a case;
- 10 (12) regulate proceedings in a hearing;
- 11 (13) accept a plea of guilty [~~for a misdemeanor~~] from a
12 defendant charged with misdemeanor, felony, or both misdemeanor and
13 felony offenses; [~~and~~]
- 14 (14) select a jury; and
- 15 (15) do any act and take any measure necessary and
16 proper for the efficient performance of the duties required by the
17 order of referral.

18 SECTION 4. This Act takes effect September 1, 2003.