

By: Whitmire

S.B. No. 922

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the appointments and duties of Tarrant County criminal
3 magistrates.

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

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

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

10 SECTION 2. Sections 54.656(b) and (c), Government Code, are
11 amended to read as follows:

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

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

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

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

- 22 (1) conduct hearings;
23 (2) hear evidence;
24 (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.