

1-1 By: Harris S.B. No. 922
1-2 (In the Senate - Filed March 6, 2003; March 11, 2003, read
1-3 first time and referred to Committee on Jurisprudence;
1-4 March 24, 2003, reported favorably by the following vote: Yeas 6,
1-5 Nays 0; March 24, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the appointments and duties of Tarrant County criminal
1-9 magistrates.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subsection (b), Section 54.651, Government Code,
1-12 is amended to read as follows:

1-13 (b) Each magistrate's appointment must be made with the
1-14 [~~unanimous~~] approval of at least two-thirds of all the judges
1-15 described in Subsection (a).

1-16 SECTION 2. Subsections (b) and (c), Section 54.656,
1-17 Government Code, are amended to read as follows:

1-18 (b) A magistrate may accept a plea of guilty [~~for a~~
1-19 ~~misdemeanor~~] from a defendant charged with misdemeanor, felony, or
1-20 both misdemeanor and felony offenses.

1-21 (c) A magistrate may select a jury. A magistrate may not
1-22 preside over a trial on the merits, whether or not the trial is
1-23 before a jury.

1-24 SECTION 3. Subsection (a), Section 54.658, Government Code,
1-25 is amended to read as follows:

1-26 (a) Except as limited by an order of referral, a magistrate
1-27 to whom a case is referred may:

- 1-28 (1) conduct hearings;
- 1-29 (2) hear evidence;
- 1-30 (3) compel production of relevant evidence;
- 1-31 (4) rule on admissibility of evidence;
- 1-32 (5) issue summons for the appearance of witnesses;
- 1-33 (6) examine witnesses;
- 1-34 (7) swear witnesses for hearings;
- 1-35 (8) make findings of fact on evidence;
- 1-36 (9) formulate conclusions of law;
- 1-37 (10) rule on a pretrial motion;
- 1-38 (11) recommend the rulings, orders, or judgment to be
1-39 made in a case;

1-40 (12) regulate proceedings in a hearing;

1-41 (13) accept a plea of guilty [~~for a misdemeanor~~] from a
1-42 defendant charged with misdemeanor, felony, or both misdemeanor and
1-43 felony offenses; ~~and~~

1-44 (14) select a jury; and

1-45 (15) do any act and take any measure necessary and
1-46 proper for the efficient performance of the duties required by the
1-47 order of referral.

1-48 SECTION 4. This Act takes effect September 1, 2003.

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