

BILL ANALYSIS

H.B. 34
By: Brown, Betty
Judiciary
Committee Report (Unamended)

BACKGROUND AND PURPOSE

This bill would allow a district judge in Henderson County to appoint a magistrate to perform specified duties to help with the court's caseload.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

The bill adds a Subchapter EE to Chapter 54 of the Government Code regarding magistrates in Henderson County which provides that the commissioners court of Henderson County may authorize the judges of the district courts to appoint a magistrate. The bill sets the qualifications of such magistrates as a person who is a resident of Henderson County, Texas. The bill provides that a magistrate has the same judicial immunity as a district judge. Powers of the magistrates include: directing the Henderson County Pretrial Services Program; investigating applications for personal bonds; and issuing personal bonds to qualified defendants.

EFFECTIVE DATE

October 19, 2005.