

AN ACT

relating to the appointment of magistrates to serve the municipal court of record in Kennedale.

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

SECTION 1. Subchapter E, Chapter 30, Government Code, is amended by adding Section 30.001845 to read as follows:

Sec. 30.001845. MAGISTRATES. (a) The governing body may appoint one or more magistrates in addition to magistrates provided under Article 2.09, Code of Criminal Procedure.

(b) A magistrate does not have to possess all the qualifications necessary to be a municipal court of record judge.

(c) A magistrate may not preside over the court or hear contested cases.

(d) A magistrate may:

(1) conduct an arraignment;

(2) hold an indigency hearing;

(3) accept a plea;

(4) sign a judgment;

(5) set the amount of a bond; and

(6) perform other functions under Article 15.17, Code of Criminal Procedure.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this

H.B. No. 1394

1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2005.

President of the Senate

Speaker of the House

I certify that H.B. No. 1394 was passed by the House on March 23, 2005, by the following vote: Yeas 145, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1394 was passed by the Senate on May 24, 2005, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor