

1-1 By: Zedler (Senate Sponsor - Brimer) H.B. No. 1394  
1-2 (In the Senate - Received from the House March 29, 2005;  
1-3 March 30, 2005, read first time and referred to Committee on  
1-4 Jurisprudence; May 13, 2005, reported favorably by the following  
1-5 vote: Yeas 5, Nays 0; May 13, 2005, sent to printer.)

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

1-8 relating to the appointment of magistrates to serve the municipal  
1-9 court of record in Kennedale.

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

1-11 SECTION 1. Subchapter E, Chapter 30, Government Code, is  
1-12 amended by adding Section 30.001845 to read as follows:

1-13 Sec. 30.001845. MAGISTRATES. (a) The governing body may  
1-14 appoint one or more magistrates in addition to magistrates provided  
1-15 under Article 2.09, Code of Criminal Procedure.

1-16 (b) A magistrate does not have to possess all the  
1-17 qualifications necessary to be a municipal court of record judge.

1-18 (c) A magistrate may not preside over the court or hear  
1-19 contested cases.

1-20 (d) A magistrate may:

1-21 (1) conduct an arraignment;

1-22 (2) hold an indigency hearing;

1-23 (3) accept a plea;

1-24 (4) sign a judgment;

1-25 (5) set the amount of a bond; and

1-26 (6) perform other functions under Article 15.17, Code  
1-27 of Criminal Procedure.

1-28 SECTION 2. This Act takes effect immediately if it receives  
1-29 a vote of two-thirds of all the members elected to each house, as  
1-30 provided by Section 39, Article III, Texas Constitution. If this  
1-31 Act does not receive the vote necessary for immediate effect, this  
1-32 Act takes effect September 1, 2005.

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