

## **BILL ANALYSIS**

C.S.S.B. 1297  
By: Wentworth  
Judiciary  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Magistrates are used in a number of criminal courts to relieve a court's backlog by hearing non-trial proceedings. The purpose of this local bill is to provide for the appointment of criminal law magistrates in Bexar County.

### **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 amends Chapter 54 of the Government Code by adding provisions which would allow for the appointment in Bexar County of criminal law magistrates in addition to those currently provided for by law. The provisions for such additional magistrates cover qualifications, compensation, immunity, authority and other aspects of the magistrates' service.

### **EFFECTIVE DATE**

Immediately on receipt of required vote; otherwise September 1, 2007.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The substitute adds language not found in the original bill providing that a person in custody who is brought before a magistrate appointed under the law added by the act must be in the custody of a jailer who is certified by the Commission on Law Enforcement Officer Standards and Education and appointed by the county sheriff, and that the person must remain in the custody of the jailer until released or transferred in accordance with a court order.