By: Averitt   S.B. No. 2025

A BILL TO BE ENTITLED

1   AN ACT

2   relating to the appointment of magistrates in McLennan County.

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

4   SECTION 1. Chapter 54, Government Code, is amended by

5   adding Subchapter CC to read as follows:

6   SUBCHAPTER CC. MAGISTRATES IN MCLENNAN COUNTY

7   Sec. 54.1511. APPOINTMENT. The judges of the district

8   courts in McLennan County that give preference to criminal cases

9   and the judges of the county courts at law of McLennan County that

10   give preference to criminal cases, with the consent and approval of

11   the Commissioners Court of McLennan County, may appoint the number

12   of magistrates determined by the commissioners court to perform the

13   duties authorized by this subchapter.

14   Sec. 54.1512. QUALIFICATION. To be eligible for

15   appointment as a magistrate, a person must:

16   (1) be a resident of McLennan County, Texas; and

17   (2) have been licensed to practice law in this state or

18   served as a judge or magistrate in this state for at least four

19   years.

20   Sec. 54.1513. COMPENSATION. A magistrate is entitled to

21   the salary determined by the Commissioners Court of McLennan

22   County.

23   Sec. 54.1514. JUDICIAL IMMUNITY. A magistrate has the same

24   judicial immunity as a district judge.

1   Sec. 54.1515. POWERS. (a) Subject to the standing orders

2   of the appointing judges, a magistrate may:

3   (1) investigate applications for personal bonds;

4   (2) give statutory warnings;

5   (3) set bonds, including surety bonds; and

6   (4) issue personal bonds to qualified defendants.

7   (b) The county judge has the same powers as a magistrate

8   appointed under this section.

9   (c) A magistrate may administer oaths for any purpose.

10   SECTION 2. This Act takes effect immediately if it receives

11   a vote of two-thirds of all the members elected to each house, as

12   provided by Section 39, Article III, Texas Constitution. If this

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

14   Act takes effect September 1, 2007.