

1-1 By: Averitt S.B. No. 2025  
1-2 (In the Senate - Filed April 13, 2007; April 17, 2007, read  
1-3 first time and referred to Committee on Jurisprudence;  
1-4 April 27, 2007, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 4, Nays 0; April 27, 2007,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 2025 By: Wentworth

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the appointment of magistrates in McLennan County.  
1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
1-12 SECTION 1. Chapter 54, Government Code, is amended by  
1-13 adding Subchapter CC to read as follows:  
1-14 SUBCHAPTER CC. MAGISTRATES IN MCLENNAN COUNTY  
1-15 Sec. 54.1511. APPOINTMENT. The judges of the district  
1-16 courts in McLennan County that give preference to criminal cases  
1-17 and the judges of the county courts at law of McLennan County that  
1-18 give preference to criminal cases, with the consent and approval of  
1-19 the Commissioners Court of McLennan County, may appoint the number  
1-20 of magistrates determined by the commissioners court to perform the  
1-21 duties authorized by this subchapter.  
1-22 Sec. 54.1512. QUALIFICATION. To be eligible for  
1-23 appointment as a magistrate, a person must:  
1-24 (1) be a resident of McLennan County, Texas; and  
1-25 (2) have been licensed to practice law in this state or  
1-26 served as a judge or magistrate in this state for at least four  
1-27 years.  
1-28 Sec. 54.1513. COMPENSATION. A magistrate is entitled to  
1-29 the salary determined by the Commissioners Court of McLennan  
1-30 County.  
1-31 Sec. 54.1514. JUDICIAL IMMUNITY. A magistrate has the same  
1-32 judicial immunity as a district judge.  
1-33 Sec. 54.1515. POWERS. (a) Subject to the standing orders  
1-34 of the appointing judges, a magistrate may:  
1-35 (1) investigate applications for personal bonds;  
1-36 (2) give statutory warnings;  
1-37 (3) set bonds, including surety bonds; and  
1-38 (4) issue personal bonds to qualified defendants.  
1-39 (b) The county judge has the same powers as a magistrate  
1-40 appointed under this section.  
1-41 (c) A magistrate may administer oaths for any purpose.  
1-42 SECTION 2. This Act takes effect immediately if it receives  
1-43 a vote of two-thirds of all the members elected to each house, as  
1-44 provided by Section 39, Article III, Texas Constitution. If this  
1-45 Act does not receive the vote necessary for immediate effect, this  
1-46 Act takes effect September 1, 2007.

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