

1-1 By: Geren (Senate Sponsor - Nelson) H.B. No. 4750
1-2 (In the Senate - Received from the House May 18, 2009;
1-3 May 19, 2009, read first time and referred to Committee on
1-4 Jurisprudence; May 23, 2009, reported favorably by the following
1-5 vote: Yeas 5, Nays 0; May 23, 2009, sent to printer.)

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

1-8 relating to the appointment of magistrates in the White Settlement
1-9 municipal courts.

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

1-11 SECTION 1. Subchapter DD, Chapter 30, Government Code, is
1-12 amended by adding Section 30.01137 to read as follows:

1-13 Sec. 30.01137. MAGISTRATES. (a) The governing body may
1-14 appoint one or more magistrates to act on behalf of a municipal
1-15 court of record or a municipal court in the city of White
1-16 Settlement.

1-17 (b) A magistrate is not required to possess all the
1-18 qualifications necessary to be a municipal court of record judge.

1-19 (c) A magistrate may not preside over the court or hear
1-20 contested cases.

1-21 (d) A magistrate may:

1-22 (1) conduct an arraignment;

1-23 (2) hold an indigency hearing;

1-24 (3) accept a plea;

1-25 (4) sign a judgment;

1-26 (5) set the amount of a bond; and

1-27 (6) perform other functions under Article 15.17, Code
1-28 of Criminal Procedure.

1-29 SECTION 2. This Act takes effect immediately if it receives
1-30 a vote of two-thirds of all the members elected to each house, as
1-31 provided by Section 39, Article III, Texas Constitution. If this
1-32 Act does not receive the vote necessary for immediate effect, this
1-33 Act takes effect September 1, 2009.

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