

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 26, 2009

TO: Honorable Jeff Wentworth, Chair, Senate Committee on Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: SB922 by Harris (Relating to the powers and duties of certain magistrates.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Government Code to authorize a judge to refer to a magistrate, in addition to proceedings that can already be referred to a magistrate, any criminal proceedings involving bail, an agreed order of expunction, an asset forfeiture hearing, an agreed order of nondisclosure, and a hearing on a motion to revoke probation. A judge would also be authorized to refer to a magistrate certain civil cases. A magistrate would not be authorized to hear a jury trial on the merits of a bond forfeiture. A magistrate would be authorized to enter a ruling related to a negotiated plea on a probation revocation, conduct a contested probation revocation hearing, and sign a dismissal in a misdemeanor case.

The bill would amend the Code of Criminal Procedure to authorize a magistrate with jurisdiction over criminal cases serving a district court to issue warrants.

The bill would take effect September 1, 2009.

Changes in caseload as a result of passage of the bill are not expected to have a significant fiscal impact.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, MN, DB