

By: Moody

H.B. No. 1909

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the criminal jurisdiction of magistrates appointed by
3 the El Paso Council of Judges.

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

5 SECTION 1. Article 2.09, Code of Criminal Procedure, is
6 amended to read as follows:

7 Art. 2.09. WHO ARE MAGISTRATES. Each of the following
8 officers is a magistrate within the meaning of this Code: The
9 justices of the Supreme Court, the judges of the Court of Criminal
10 Appeals, the justices of the Courts of Appeals, the judges of the
11 District Court, the magistrates appointed by the judges of the
12 district courts of Bexar County, Dallas County, or Tarrant County
13 that give preference to criminal cases, the criminal law hearing
14 officers for Harris County appointed under Subchapter L, Chapter
15 54, Government Code, the criminal law hearing officers for Cameron
16 County appointed under Subchapter BB, Chapter 54, Government Code,
17 the magistrates or associate judges appointed by the judges of the
18 district courts of Lubbock County, Nolan County, or Webb County,
19 the magistrates appointed by the judges of the criminal district
20 courts of Dallas County or Tarrant County, the associate judges
21 appointed by the judges of the district courts and the county courts
22 at law that give preference to criminal cases in Jefferson County,
23 the associate judges appointed by the judges of the district courts
24 and the statutory county courts of Brazos County, Nueces County, or

1 Williamson County, the magistrates appointed by the judges of the
2 district courts and statutory county courts that give preference to
3 criminal cases in Travis County, the criminal magistrates appointed
4 by the Brazoria County Commissioners Court, the criminal
5 magistrates appointed by the Burnet County Commissioners Court, the
6 magistrates appointed by the El Paso Council of Judges, the county
7 judges, the judges of the county courts at law, judges of the county
8 criminal courts, the judges of statutory probate courts, the
9 associate judges appointed by the judges of the statutory probate
10 courts under Chapter 54A, Government Code, the associate judges
11 appointed by the judge of a district court under Chapter 54A,
12 Government Code, the magistrates appointed under Subchapter JJ,
13 Chapter 54, Government Code, as added by H.B. No. 2132, Acts of the
14 82nd Legislature, Regular Session, 2011, the justices of the peace,
15 and the mayors and recorders and the judges of the municipal courts
16 of incorporated cities or towns.

17 SECTION 2. Article 4.01, Code of Criminal Procedure, is
18 amended to read as follows:

19 Art. 4.01. WHAT COURTS HAVE CRIMINAL JURISDICTION. The
20 following courts have jurisdiction in criminal actions:

- 21 1. The Court of Criminal Appeals;
- 22 2. Courts of appeals;
- 23 3. The district courts;
- 24 4. The criminal district courts;
- 25 5. The magistrates appointed by the judges of the district
26 courts of Bexar County, Dallas County, Tarrant County, or Travis
27 County that give preference to criminal cases and the magistrates

1 appointed by the judges of the criminal district courts of Dallas
2 County or Tarrant County;

3 6. The county courts;

4 7. All county courts at law with criminal jurisdiction;

5 8. County criminal courts;

6 9. Justice courts;

7 10. Municipal courts; ~~and~~

8 11. The magistrates appointed by the judges of the district
9 courts of Lubbock County; and

10 12. The magistrates appointed by the El Paso Council of
11 Judges.

12 SECTION 3. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2019.