

AN ACT

relating to the appointments and duties of Tarrant County criminal magistrates.

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

SECTION 1. Subsection (b), Section 54.651, Government Code, is amended to read as follows:

(b) Each magistrate's appointment must be made with the ~~unanimous~~ approval of at least two-thirds of all the judges described in Subsection (a).

SECTION 2. Subsections (b) and (c), Section 54.656, Government Code, are amended to read as follows:

(b) A magistrate may accept a plea of guilty ~~[for a misdemeanor]~~ from a defendant charged with misdemeanor, felony, or both misdemeanor and felony offenses.

(c) A magistrate may select a jury. A magistrate may not preside over a trial on the merits, whether or not the trial is before a jury.

SECTION 3. Subsection (a), Section 54.658, Government Code, is amended to read as follows:

(a) Except as limited by an order of referral, a magistrate to whom a case is referred may:

- (1) conduct hearings;
- (2) hear evidence;
- (3) compel production of relevant evidence;

- 1 (4) rule on admissibility of evidence;
- 2 (5) issue summons for the appearance of witnesses;
- 3 (6) examine witnesses;
- 4 (7) swear witnesses for hearings;
- 5 (8) make findings of fact on evidence;
- 6 (9) formulate conclusions of law;
- 7 (10) rule on a pretrial motion;
- 8 (11) recommend the rulings, orders, or judgment to be
- 9 made in a case;
- 10 (12) regulate proceedings in a hearing;
- 11 (13) accept a plea of guilty [~~for a misdemeanor~~] from a
- 12 defendant charged with misdemeanor, felony, or both misdemeanor and
- 13 felony offenses; [~~and~~]
- 14 (14) select a jury; and
- 15 (15) do any act and take any measure necessary and
- 16 proper for the efficient performance of the duties required by the
- 17 order of referral.

18 SECTION 4. This Act takes effect September 1, 2003.

David Newburn

President of the Senate

Jim Cusick

Speaker of the House

I hereby certify that S.B. No. 922 passed the Senate on April 3, 2003, by the following vote: Yeas 31, Nays 0.

Patsy Gau
Secretary of the Senate

I hereby certify that S.B. No. 922 passed the House on May 16, 2003, by a non-record vote.

Robert Haney
Chief Clerk of the House

Approved:

20 JUN '03

Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
9:30 PM O'CLOCK

JUN 20 2003
Ann Shea
Secretary of State