

1 read as follows:

2 Sec. 54.908. POWERS. (a) Except as limited by an order of
3 referral, a magistrate to whom a case is referred may:

- 4 (1) conduct hearings;
- 5 (2) hear evidence;
- 6 (3) compel production of relevant evidence;
- 7 (4) rule on admissibility of evidence;
- 8 (5) issue summons for the appearance of witnesses;
- 9 (6) examine witnesses;
- 10 (7) swear witnesses for hearings;
- 11 (8) make findings of fact on evidence;
- 12 (9) formulate conclusions of law;
- 13 (10) rule on a pretrial motion;
- 14 (11) recommend the rulings, orders, or judgment to be
15 made in a case;
- 16 (12) regulate proceedings in a hearing;
- 17 (13) accept a plea of guilty for a misdemeanor from a
18 defendant charged with both misdemeanor and felony offenses; ~~and~~
- 19 (14) notwithstanding Article 18.01(c), Code of
20 Criminal Procedure, issue a search warrant under Article 18.02(10),
21 Code of Criminal Procedure; and
- 22 (15) do any act and take any measure necessary and
23 proper for the efficient performance of the duties required by the
24 order of referral.

25 (b) A magistrate does not have authority under Subsection
26 (a)(14) to issue a subsequent search warrant under Article
27 18.02(10), Code of Criminal Procedure.

1 SECTION 3. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2009.

David Newkirk

President of the Senate

John Stroman

Speaker of the House

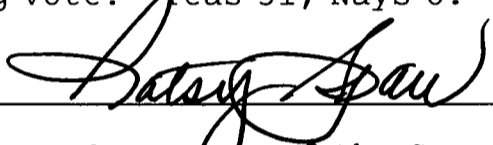
I certify that H.B. No. 1722 was passed by the House on April 15, 2009, by the following vote: Yeas 147, Nays 0, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 1722 on May 25, 2009, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 1722 on May 31, 2009, by the following vote: Yeas 140, Nays 0, 1 present, not voting.

Robert Haney

Chief Clerk of the House

H.B. No. 1722

I certify that H.B. No. 1722 was passed by the Senate, with amendments, on May 22, 2009, by the following vote: Yeas 30, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 1722 on May 31, 2009, by the following vote: Yeas 31, Nays 0.


Secretary of the Senate

APPROVED: 19 JUN '09

Date


Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2PM O'CLOCK
JUN 19 2009

