

1 AN ACT

2 relating to the appointment of magistrates in McLennan County.

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

4 SECTION 1. Chapter 54, Government Code, is amended by
5 adding Subchapter CC to read as follows:

6 SUBCHAPTER CC. MAGISTRATES IN MCLENNAN COUNTY

7 Sec. 54.1511. APPOINTMENT. The judges of the district
8 courts in McLennan County that give preference to criminal cases
9 and the judges of the county courts at law of McLennan County that
10 give preference to criminal cases, with the consent and approval of
11 the Commissioners Court of McLennan County, may appoint the number
12 of magistrates determined by the commissioners court to perform the
13 duties authorized by this subchapter.

14 Sec. 54.1512. QUALIFICATION. To be eligible for
15 appointment as a magistrate, a person must:

16 (1) be a resident of McLennan County, Texas; and

17 (2) have been licensed to practice law in this state or
18 served as a judge or magistrate in this state for at least four
19 years.

20 Sec. 54.1513. COMPENSATION. A magistrate is entitled to the
21 salary determined by the Commissioners Court of McLennan County.

22 Sec. 54.1514. JUDICIAL IMMUNITY. A magistrate has the same
23 judicial immunity as a district judge.

24 Sec. 54.1515. POWERS. (a) Subject to the standing orders

1 of the appointing judges, a magistrate may:

- 2 (1) investigate applications for personal bonds;
- 3 (2) give statutory warnings;
- 4 (3) set bonds, including surety bonds; and
- 5 (4) issue personal bonds to qualified defendants.

6 (b) The county judge has the same powers as a magistrate
7 appointed under this subchapter.

8 (c) A magistrate may administer oaths for any purpose.

9 SECTION 2. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect September 1, 2007.

David Newburt

President of the Senate

Jim Caddick

Speaker of the House

I certify that H.B. No. 4039 was passed by the House on May 9, 2007, by the following vote: Yeas 144, Nays 0, 2 present, not voting.

Robert Haney
Chief Clerk of the House

I certify that H.B. No. 4039 was passed by the Senate on May 23, 2007, by the following vote: Yeas 31, Nays 0.

Datsy Spaw
Secretary of the Senate

APPROVED: 15 JUN 07

Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
6 PM O'CLOCK
JUN 15 2007
Roger Williams
Secretary of State