

1 AN ACT
2 relating to the appointment of magistrates to serve the municipal
3 court of record in Kennedale.

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

5 SECTION 1. Subchapter E, Chapter 30, Government Code, is
6 amended by adding Section 30.001845 to read as follows:

7 Sec. 30.001845. MAGISTRATES. (a) The governing body may
8 appoint one or more magistrates in addition to magistrates provided
9 under Article 2.09, Code of Criminal Procedure.

10 (b) A magistrate does not have to possess all the
11 qualifications necessary to be a municipal court of record judge.

12 (c) A magistrate may not preside over the court or hear
13 contested cases.

14 (d) A magistrate may:

15 (1) conduct an arraignment;

16 (2) hold an indigency hearing;

17 (3) accept a plea;

18 (4) sign a judgment;

19 (5) set the amount of a bond; and

20 (6) perform other functions under Article 15.17, Code
21 of Criminal Procedure.

22 SECTION 2. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this

- 1 Act does not receive the vote necessary for immediate effect, this
- 2 Act takes effect September 1, 2005.

David Suthurst

President of the Senate

Jim Credille

Speaker of the House

I certify that H.B. No. 1394 was passed by the House on March 23, 2005, by the following vote: Yeas 145, Nays 0, 2 present, not voting.

Robert Haney
Chief Clerk of the House

I certify that H.B. No. 1394 was passed by the Senate on May 24, 2005, by the following vote: Yeas 31, Nays 0.

Patsy Spaw
Secretary of the Senate

APPROVED: 17 JUNE '05

Date

RICK PERRY
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
11:20 AM, 06/17/05

Roger Williams
Secretary of State