

BILL ANALYSIS

Senate Research Center
76R5721 MLS-F

H.B. 1562
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Jurisprudence
5/13/1999
Engrossed

DIGEST

H.B. 1562 clarifies a confused interpretation of two laws passed during the 75th Legislature. One bill allowed county criminal courts to refer occupational driver's license matters to magistrates. The other gave county criminal courts concurrent civil jurisdiction with the county courts at law to hear appeals of driver's license suspensions. The confusion comes from automatic license revocation (ALR) appeal hearings. In this case, the Texas Department of Public Safety contends that a magistrate cannot hear the appeal because it is a civil matter. H.B. 1562 makes conforming changes in Section 54.306 (a) of the Government Code that will allow a magistrate to hear an ALR appeal.

PURPOSE

As proposed, H.B. 1562 specifies matters that may be referred to a criminal law magistrate in Dallas County.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 54.306(a), Government Code, to authorize a judge to refer a magistrate any matter arising out of a criminal case involving an appeal of an administrative driver's license revocation hearing. Makes conforming changes.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.