

## **BILL ANALYSIS**

Senate Research Center  
79R3384 RMB-F

H.B. 1394  
By: Zedler (Brimer)  
Jurisprudence  
4/30/2005  
Engrossed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

For greater efficiency and cost savings, some municipalities have been granted permission by the legislature to allow the use of magistrates in municipal courts of record.

Currently, there is no statute allowing the City of Kennedale to have magistrates serve in municipal courts of record.

H.B. 1394 allows the City of Kennedale to appoint magistrates to serve the municipal court of record in specific capacities identical to those granted to other municipalities.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter E, Chapter 30, Government Code, by adding Section 30.001845, as follows:

Sec. 30.001845. MAGISTRATES. (a) Authorizes the governing body to appoint one or more magistrates in addition to the magistrates provided under Article 2.09 (Who Are Magistrates), Code of Criminal Procedure.

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

(c) Prohibits a magistrate from presiding over the court or hearing contested cases.

(d) Authorizes a magistrate to perform certain duties.

SECTION 2. Effective date: upon passage or September 1, 2005.