

## **BILL ANALYSIS**

Senate Research Center  
82R9009 PMO-F

S.B. 1894  
By: Zaffirini  
Jurisprudence  
4/14/2011  
As Filed

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

The purpose of this legislation is to expand the powers of Bexar County magistrate judges to include a plea of guilty or nolo contendere for all misdemeanor charges.

This bill would help Bexar County magistrates realize their full potential by expanding their duties to include a plea of guilty or nolo contendere for all misdemeanor charges.

Currently, magistrate judges may accept only a plea of guilty for a misdemeanor from a defendant charged with both misdemeanor and felony offenses.

This legislation would allow all Bexar County magistrate judges to accept a plea of guilty or nolo contendere for all misdemeanor charges

As proposed, S.B. 1894 amends current law relating to proceedings that may be referred to and the powers of a criminal law magistrate in Bexar County.

### **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 Section 54.906(a), Government Code, as follows:

(a) Authorizes a judge to refer to a magistrate any criminal case for certain proceedings, including proceedings involving a plea of guilty or nolo contendere from a defendant charged with a misdemeanor offense, and a plea of guilty or nolo contendere for a misdemeanor from a defendant charged with both misdemeanor and felony offenses. Makes nonsubstantive changes.

SECTION 2. Amends Section 54.908(a), Government Code, as follows:

(a) Authorizes a magistrate to whom a case is referred, except as limited by an order of referral, to conduct certain activities, including accepting a plea of guilty from a defendant charged with a misdemeanor offense. Makes nonsubstantive changes.

SECTION 3. Effective date: upon passage or September 1, 2011.