

## BILL ANALYSIS

Senate Research Center  
80R2037 RMB-D

S.B. 2025  
By: Averitt  
Jurisprudence  
4/19/2007  
As Filed

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

Currently, McLennan County needs a magistrate, however, the need for a magistrate's services is inconsistent and fluctuates. The position has varying hours and is difficult for a justice of the peace to fill.

As proposed, S.B. 2025 authorizes the commissioners court of McLennan County to appoint one or more magistrates to control the flow of prisoners in and out of the McLennan County jail. This bill authorizes the magistrate to investigate applicants for personal bonds and issue personal bonds to qualified defendants. This bill provides a magistrate with the same judicial immunity as a district judge.

### 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 Chapter 54, Government Code, by adding Subchapter CC, as follows:

#### SUBCHAPTER CC. MAGISTRATES IN MCLENNAN COUNTY

Sec. 54.1511. APPOINTMENT. Authorizes the Commissioners Court of McLennan County to appoint one or more magistrates to perform the duties authorized by this subchapter.

Sec. 54.1512. QUALIFICATION. Requires a person to be a resident of McLennan County, Texas, to be eligible for appointment as a magistrate.

Sec. 54.1513. JUDICIAL IMMUNITY. Provides that a magistrate has the same judicial immunity as a district judge.

Sec. 54.1514. POWERS. Authorizes the magistrate to investigate applications for personal bonds and issue personal bonds to qualified defendants, subject to the standing orders of the Commissioners Court of McLennan County.

SECTION 2. Effective date: upon passage or September 1, 2007.