

1 AN ACT

2 relating to proceedings that may be referred to and the powers of a  
3 criminal law magistrate in Bexar County.

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

5 SECTION 1. Section 54.906(a), Government Code, is amended  
6 to read as follows:

7 (a) A judge may refer to a magistrate any criminal case for  
8 proceedings involving:

- 9 (1) a bond forfeiture;
- 10 (2) a pretrial motion;
- 11 (3) a postconviction writ of habeas corpus;
- 12 (4) an examining trial;
- 13 (5) the issuance of search warrants, including a  
14 search warrant under Article 18.02(10), Code of Criminal Procedure,  
15 notwithstanding Article 18.01(c), Code of Criminal Procedure;
- 16 (6) the setting of bonds;
- 17 (7) the arraignment of defendants; and
- 18 (8) any other matter the judge considers necessary and

19 proper, including a [~~negotiated~~] plea of guilty or nolo contendere  
20 from a defendant charged with:

- 21 (A) a felony offense;
- 22 (B) a misdemeanor offense when charged with both  
23 a misdemeanor offense and a felony offense; or
- 24 (C) a misdemeanor offense [~~before the court~~].

1 SECTION 2. Section 54.908(a), Government Code, is amended  
2 to read as follows:

3 (a) Except as limited by an order of referral, a magistrate  
4 to whom a case is referred may:

- 5 (1) conduct hearings;
- 6 (2) hear evidence;
- 7 (3) compel production of relevant evidence;
- 8 (4) rule on admissibility of evidence;
- 9 (5) issue summons for the appearance of witnesses;
- 10 (6) examine witnesses;
- 11 (7) swear witnesses for hearings;
- 12 (8) make findings of fact on evidence;
- 13 (9) formulate conclusions of law;
- 14 (10) rule on a pretrial motion;
- 15 (11) recommend the rulings, orders, or judgment to be  
16 made in a case;
- 17 (12) regulate proceedings in a hearing;
- 18 (13) accept a plea of guilty or nolo contendere [~~for a~~  
19 ~~misdemeanor~~] from a defendant charged with:
  - 20 (A) a felony offense;
  - 21 (B) a [both] misdemeanor offense when charged  
22 with both a misdemeanor offense and a felony offense [offenses]; or
  - 23 (C) a misdemeanor offense;
- 24 (14) notwithstanding Article 18.01(c), Code of  
25 Criminal Procedure, issue a search warrant under Article 18.02(10),  
26 Code of Criminal Procedure; and
- 27 (15) do any act and take any measure necessary and

1 proper for the efficient performance of the duties required by the  
2 order of referral.

3         SECTION 3. This Act takes effect immediately if it receives  
4 a vote of two-thirds of all the members elected to each house, as  
5 provided by Section 39, Article III, Texas Constitution. If this  
6 Act does not receive the vote necessary for immediate effect, this  
7 Act takes effect September 1, 2011.

David Dewhurst  
President of the Senate

Joe Straus  
Speaker of the House

I certify that H.B. No. 994 was passed by the House on April 7, 2011, by the following vote: Yeas 144, Nays 0, 1 present, not voting.

Robert Honey  
Chief Clerk of the House

I certify that H.B. No. 994 was passed by the Senate on May 11, 2011, by the following vote: Yeas 30, Nays 1.

Ratsy Spaw  
Secretary of the Senate

APPROVED: 27 MAY '11  
Date

RICK PERRY  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
7:00 PM O'CLOCK

John R. ...  
MAY 27 2011  
Secretary of State