

GOVERNMENT CODE

TITLE 2. JUDICIAL BRANCH

SUBTITLE D. JUDICIAL PERSONNEL AND OFFICIALS

CHAPTER 54. MASTERS; MAGISTRATES; REFEREES; ASSOCIATE JUDGES

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 54.001. QUALIFICATIONS. (a) In addition to any other qualification required by law, to be eligible for appointment as a master, magistrate, referee, associate judge, or hearing officer under this chapter, a person must:

(1) be a resident of this state and of the county in which they are appointed;

(2) except as provided by Subsection (b), have been licensed to practice law in this state and in good standing with the State Bar of Texas for at least five years;

(3) not have been defeated for reelection to a judicial office in the election immediately preceding the person's appointment;

(4) not have been removed from office by impeachment, the supreme court, the governor on address to the legislature, a tribunal reviewing a recommendation of the State Commission on Judicial Conduct, or the legislature's abolition of the judge's court; and

(5) not have resigned from office after having received notice the State Commission on Judicial Conduct had instituted formal proceedings as provided by Section [33.022](#) and before the final disposition of the proceedings.

(b) Notwithstanding Subsection (a)(2), to be eligible for appointment as a master, magistrate, referee, associate judge, or hearing officer under the following provisions of this chapter, a person must have been licensed to practice law in this state and in good standing with the State Bar of Texas for at least two years:

- (1) Section [54.991](#);
- (2) Section [54.1231](#);
- (3) Section [54.1501](#);
- (4) Section [54.1851](#);
- (5) Section [54.2001](#);
- (6) Section [54.2301](#); or
- (7) Section [54.2802](#).

Added by Acts 2025, 89th Leg., R.S., Ch. 305 (S.B. [664](#)), Sec. 1, eff. September 1, 2025.

Sec. 54.002. REQUIRED TRAINING ON DUTIES REGARDING BAIL.

In addition to any other training required under this chapter, a master, magistrate, referee, associate judge, or hearing officer appointed under this chapter whose duties include setting, adjusting, or revoking bail bonds shall comply with the training requirements under Article [17.024](#), Code of Criminal Procedure.

Added by Acts 2025, 89th Leg., R.S., Ch. 305 (S.B. [664](#)), Sec. 1, eff. September 1, 2025.

Sec. 54.003. SUSPENSION AND REMOVAL. (a) In addition to other removal provisions provided under this chapter or other law, a master, magistrate, referee, associate judge, or hearing officer appointed under this chapter may be removed under Section [24](#), Article V, Texas Constitution.

(b) The local administrative judge shall ensure a master, magistrate, referee, associate judge, or hearing officer appointed to serve a county within the jurisdiction of the court served by the local administrative judge complies with the requirements of this chapter and Article [15.17](#), Code of Criminal Procedure.

(c) A local administrative judge shall report a violation of Subsection (b) to:

(1) the commissioners court for the county in which the master, magistrate, referee, associate judge, or hearing officer is appointed;

(2) the presiding judge of the administrative judicial region for the court served by judge;

(3) the Office of Court Administration of the Texas Judicial System; and

(4) if the local administrative judge determines the referring court is culpable in the violation, the State Commission on Judicial Conduct.

Added by Acts 2025, 89th Leg., R.S., Ch. 305 (S.B. [664](#)), Sec. 1, eff. September 1, 2025.

SUBCHAPTER DD. BURNET COUNTY CRIMINAL MAGISTRATES

Sec. 54.1501. APPOINTMENT. (a) The Commissioners Court of Burnet County may select magistrates to serve the courts of Burnet County having jurisdiction in criminal matters.

(b) The commissioners court shall establish the minimum qualifications, salary, benefits, and other compensation of each magistrate position and shall determine whether the position is full-time or part-time.

(c) A magistrate appointed under this section serves at the pleasure of the commissioners court.

Added by Acts 2011, 82nd Leg., R.S., Ch. 863 (H.B. [3844](#)), Sec. 1, eff. June 17, 2011.

Redesignated from Government Code, Section [54.1951](#) by Acts 2013, 83rd Leg., R.S., Ch. 161 (S.B. [1093](#)), Sec. [22.001](#)(19), eff. September 1, 2013.

Amended by:

Acts 2025, 89th Leg., R.S., Ch. 305 (S.B. [664](#)), Sec. 4, eff. September 1, 2025.

Sec. 54.1502. JURISDICTION. A magistrate has concurrent criminal jurisdiction with:

(1) the judges of the justice of the peace courts of Burnet County; and

(2) a municipal court in Burnet County, if approved by a memorandum of understanding between the municipality and Burnet County.

Added by Acts 2011, 82nd Leg., R.S., Ch. 863 (H.B. [3844](#)), Sec. 1, eff. June 17, 2011.

Redesignated from Government Code, Section [54.1952](#) by Acts 2013, 83rd Leg., R.S., Ch. 161 (S.B. [1093](#)), Sec. [22.001](#)(19), eff. September 1, 2013.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 934 (H.B. [3774](#)), Sec. 5.02, eff. September 1, 2021.

Sec. 54.1503. POWERS AND DUTIES. (a) The Commissioners Court of Burnet County shall establish the powers and duties of a magistrate appointed under this subchapter. Except as otherwise provided by the commissioners court, a magistrate has the powers of a magistrate under the Code of Criminal Procedure and other laws of this state and may administer an oath for any purpose.

(b) A magistrate shall give preference to performing the duties of a magistrate under Article [15.17](#), Code of Criminal Procedure.

(c) The commissioners court may designate one or more magistrates to hold regular hearings to:

- (1) give admonishments;
- (2) set and review bail and conditions of release;
- (3) appoint legal counsel; and
- (4) determine other routine matters relating to preindictment or pending cases within those courts' jurisdiction.

(d) In the hearings provided under Subsection (c), a magistrate shall give preference to the case of an individual held in county jail.

(e) A magistrate may inquire into a defendant's intended plea to the charge and set the case for an appropriate hearing before a judge or master.

Added by Acts 2011, 82nd Leg., R.S., Ch. 863 (H.B. [3844](#)), Sec. 1, eff. June 17, 2011.

Redesignated from Government Code, Section [54.1953](#) by Acts 2013, 83rd Leg., R.S., Ch. 161 (S.B. [1093](#)), Sec. 22.001(19), eff. September 1, 2013.

Sec. 54.1504. JUDICIAL IMMUNITY. A magistrate has the same judicial immunity as a district judge.

Added by Acts 2011, 82nd Leg., R.S., Ch. 863 (H.B. [3844](#)), Sec. 1, eff. June 17, 2011.

Redesignated from Government Code, Section [54.1954](#) by Acts 2013, 83rd Leg., R.S., Ch. 161 (S.B. [1093](#)), Sec. 22.001(19), eff. September 1, 2013.

Sec. 54.1505. WITNESSES. (a) A witness who is sworn and who appears before a magistrate is subject to the penalties for perjury and aggravated perjury provided by law.

(b) A referring court may fine or imprison a witness or other court participant for failure to appear after being summoned, refusal to answer questions, or other acts of direct contempt before a magistrate.

Added by Acts 2011, 82nd Leg., R.S., Ch. 863 (H.B. [3844](#)), Sec. 1, eff. June 17, 2011.

Redesignated from Government Code, Section [54.1955](#) by Acts 2013, 83rd Leg., R.S., Ch. 161 (S.B. [1093](#)), Sec. 22.001(19), eff. September 1, 2013.