

CHAPTER 972

H.B. No. 1164

An Act relating to the duties of the county attorney of Lee County and to the powers and duties of the district attorney of the 21st Judicial District.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. COUNTY ATTORNEY OF LEE COUNTY. (a) The county attorney of Lee County represents the state in all matters pending before the district courts in Lee County.

(b) Unless authorized by order adopted by the Commissioners Court of Lee County, the county attorney of Lee County may not engage in the private practice of law.

(c) The county attorney of Lee County is not entitled to be compensated for salary or office expenses by the state. The county attorney is entitled to the annual compensation set by the Commissioners Court of Lee County.

(d) Lee County is not entitled to receive funds under Section 13(b), Chapter 465, Acts of the 44th Legislature, 2nd Called Session, 1935 (Article 3912e, Vernon's Texas Civil Statutes).

SECTION 2. CONFORMING AMENDMENT. Subdivision 21, Article 199, Revised Statutes, is amended by adding Section 3 to read as follows:

Sec. 3. (a) The district attorney of the Twenty-first Judicial District is elected only from Burleson and Washington counties.

(b) The district attorney of the Twenty-first Judicial District shall perform the duties imposed and have the powers conferred on district attorneys by general law in Burleson and Washington counties. The district attorney may not perform the duties of and may not exercise the powers conferred on district attorneys in Bastrop and Lee counties.

SECTION 3. CONFORMING AMENDMENT. Section 7, Chapter 695, Acts of the 65th Legislature, Regular Session, 1977 (Article 326k-81, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 7. [(a) From and after the effective date of this Act, the District Attorney of the 21st Judicial District shall represent the State of Texas only in the counties of Washington, Lee, and Burleson.] The provisions of this Act apply only to Bastrop County and do not affect the office of district attorney or the duties or powers of the district attorney in the counties of Washington[, Lee,] and Burleson. The duties of the District Attorney of the 21st Judicial District [shall continue to fulfill the duties of the district attorney in the counties of Washington, Lee, and Burleson, but his duties] in the County of Bastrop are divested from him and invested in the Criminal District Attorney of Bastrop County.

[(b) From and after the effective date of this Act, the District Attorney of the 21st Judicial District shall only stand for election and be elected from the counties of Washington, Lee, and Burleson. The present district attorney for the 21st Judicial District shall continue in office as the district attorney in the counties of Washington, Lee, and Burleson until the general election in 1990 and until his successor is duly elected and has qualified.]

SECTION 4. EFFECTIVE DATE. This Act takes effect September 1, 1985.

SECTION 5. EMERGENCY. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on May 9, 1985, by a non-record vote; passed by the Senate on May 24, 1985, by the following vote: Yeas 29, Nays 0.

Filed: June 16, 1985, without signature.

Effective: September 1, 1985