

CHAPTER 339

S.B. No. 564

An Act relating to the creation of the constitutional office of criminal district attorney of Yoakum County and the abolition of the office of county attorney of Yoakum County; amending Article 332b-1, Revised Statutes, as amended.

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

SECTION 1. ELECTION. The voters of Yoakum County elect a criminal district attorney.

SECTION 2. QUALIFICATIONS. The criminal district attorney must meet the qualifications, take the oath of office, and give the bond required of a district attorney by the constitution and general law of this state.

SECTION 3. GENERAL POWERS AND DUTIES. (a) The criminal district attorney represents the state in all matters in the district and inferior courts in the county. The criminal district attorney shall perform the other duties that are conferred by general law on district and county attorneys in this state.

(b) The criminal district attorney shall collect the fees, commissions, and perquisites that are provided by law for similar services rendered by a district or county attorney in this state.

SECTION 4. COMPENSATION. (a) The criminal district attorney is entitled to receive compensation from the state in the manner and amount provided by law for district attorneys generally.

(b) The commissioners court may supplement the salary paid by the state.

SECTION 5. ABOLITION OF OFFICE OF COUNTY ATTORNEY. The office of county attorney of Yoakum County is abolished.

SECTION 6. CONFORMING AMENDMENT. Article 332b-1, Revised Statutes, as amended, is amended to read as follows:

"Article 332b-1. In Marion County, Lamb County, Terry County, [~~Yoakum County,~~] Lamar County, Crosby County, and Ellis County, in all of which counties there is either the office of criminal district attorney or the office of county attorney performing the duties of a district attorney, the official performing such services shall be compensated for his services by the State in such manner and in such amount as may be fixed by the general law relating to the salary to be paid to district attorneys by the State. The Commissioners Court may pay such official any compensation it deems advisable and shall pay such official sufficient compensation to insure that his total compensation is not less than the total compensation received by such official on the effective date of this amendment."

SECTION 7. INITIAL APPOINTMENT OF CRIMINAL DISTRICT ATTORNEY. The governor shall appoint a criminal district attorney of Yoakum County to the vacancy existing on the creation of the office. The person appointed shall hold office until the next general election and until a successor is elected and has qualified.

SECTION 8. EFFECTIVE DATE. This Act takes effect September 1, 1985.

SECTION 9. 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 the Senate on April 18, 1985, by the following vote: Yeas 31, Nays 0; passed the House on May 17, 1985, by the following vote: Yeas 134, Nays 0, one present not voting.

Approved: June 10, 1985

Effective: September 1, 1985