

## CHAPTER 14

## S.B. No. 78

An Act relating to the duties of the county attorneys of Callahan and Coleman counties and the criminal district attorney of the 42nd and 104th Judicial Districts; amending Subsection (d), Section 6 of Section 2, Chapter 184, Acts of the 57th Legislature, Regular Session, 1961, as amended (Article 326k-62, Vernon's Texas Civil Statutes).

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

**SECTION 1.** Subsection (d), Section 6 of Section 2, Chapter 184, Acts of the 57th Legislature, Regular Session, 1961, as amended (Article 326k-62, Vernon's Texas Civil Statutes), is amended to read as follows:

“(d) The criminal district attorney shall perform in the 42nd and 104th Judicial Districts all duties required of district attorneys by general law, except that the county attorney of Callahan County shall perform all duties required of district and county attorneys by general law [represent the State of Texas] in all matters pending before the district court in Callahan County and the county attorney of Coleman County may perform all duties required of district and county attorneys by general law in all matters pending before the district court in Coleman County. The criminal district attorney of the 42nd and 104th Judicial Districts shall also perform the duties of county attorney in Taylor County and shall assist the county attorney in Callahan County or Coleman County on his request or, in the event of his inability to act, on appointment by the judge of the district court in that county [Callahan County]. If there is no county attorney in Callahan County or Coleman County, the criminal district attorney of the 42nd and 104th Judicial Districts shall represent the State [of Texas] in all matters pending before the 42nd District Court in that county [district court in Callahan County].”

**SECTION 2.** The prosecuting attorney representing the state in a matter pending before a district court in Coleman County when this Act takes effect may continue to represent the state in that matter until the matter is completed, and the change in law made by this Act does not affect the authority of that prosecuting attorney to represent the state in that matter.

**SECTION 3.** 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, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on January 24, 1985, by the following vote: Yeas 25, Nays 0; and that the Senate adopted S.C.R. No. 82, recalling S.B. No. 78 from the Governor directing the Enrolling Clerk to make certain corrections on March 20, 1985; passed the House on March 5, 1985, by the following vote: Yeas 141, Nays 0, one present not voting; and that the House adopted S.C.R. No. 82, recalling S.B. No. 78 from the Governor on March 20, 1985.

Approved: April 3, 1985

Effective: Immediately