

CHAPTER 540

H.B. No. 1498

AN ACT

relating to prosecutors providing pro bono legal services to the indigent.

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

SECTION 1. Subchapter A, Chapter 41, Government Code, is amended by adding Section 41.014 to read as follows:

*Sec. 41.014. PRO BONO LEGAL SERVICES. (a) In this section:*

(1) *“Pro bono legal services to the indigent” includes civil legal services rendered without expectation of compensation either directly to the indigent or to a charitable public interest organization regarding matters primarily addressing the needs of the indigent.*

(2) *“Prosecutor” means a county attorney, district attorney, criminal district attorney, assistant county attorney, assistant district attorney, or assistant criminal district attorney.*

*(b) A prosecutor may provide pro bono legal services to the indigent if providing the services does not interfere with the prosecutor's official duties or regularly compensated hours of employment.*

*(c) Providing pro bono legal services to the indigent as authorized by this section is not within the scope of employment of the prosecutor, and the state or a political subdivision of the state is not liable for damages that result from providing the services.*

*(d) Providing pro bono legal services to the indigent under this section does not constitute the private practice of law.*

SECTION 2. This Act takes effect September 1, 1993.

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.

Passed by the House on May 7, 1993, by a non-record vote; the House concurred in Senate amendments to H.B. No. 1498 on May 24, 1993, by a non-record vote; passed by the Senate, with amendments, on May 20, 1993, by a viva-voce vote.

Approved June 8, 1993.

Effective Sept. 1, 1993.