

CHAPTER 762

H.B. No. 680

AN ACT

relating to the application of the professional prosecutors law to certain prosecutors.

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

SECTION 1. Section 46.002, Government Code, is amended to read as follows:

Sec. 46.002. PROSECUTORS SUBJECT TO CHAPTER. This chapter applies only to the following prosecutors:

(1) the district attorneys for the 2nd, 8th, 9th, 12th, 21st, 22nd, ~~23rd~~, 26th, 27th, 29th, 34th, 36th, 38th, 43rd, 47th, 49th, 51st, 52nd, 63rd, 64th, 66th, 69th, 70th, 76th, 81st, 83rd, 84th, 85th, 90th, 97th, 105th, 106th, 110th, 118th, 119th, 123rd, 142nd, 145th, 159th, 173rd, 196th, 198th, 216th, 220th, 229th, 253rd, 266th, 268th, 271st, 286th, 349th, and 355th judicial districts;

(2) the criminal district attorneys for the counties of Anderson, Austin, Bastrop, Bexar, Bowie, Brazoria, Caldwell, Calhoun, Cass, Deaf Smith, Denton, Eastland, Galveston, Gregg, Harrison, Hays, Hidalgo, Jasper, Jefferson, Kaufman, Lubbock, McLennan, Navarro, Panola, Polk, Randall, Rockwall, San Jacinto, Smith, Tarrant, Taylor, Tyler, Upshur, Van Zandt, Victoria, Walker, Wichita, Wood, and Yoakum; and

(3) the county attorneys performing the duties of district attorneys in the counties of Andrews, Callahan, Cameron, Castro, Ellis, Falls, Fannin, Fayette, Freestone, Grayson, Lamar, Lamb, Lampasas, *Lee*, Limestone, Marion, Milam, Morris, Ochiltree, Orange, Red River, Robertson, Rusk, Terry, and Willacy.

SECTION 2. Section 45.244, Government Code, is amended to read as follows:

Sec. 45.244. 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 may not engage in the private practice of law.~~

~~[(c) The county attorney is not entitled to be compensated by the state for salary or office expenses. 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 Subchapter C, Chapter 41.]~~

SECTION 3. This Act takes effect September 1, 1993.

SECTION 4. 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 April 27, 1993, by a non-record vote; that the House refused to concur in Senate amendments to H.B. No. 680 on May 27, 1993, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 680 on May 30, 1993, by a non-record vote; passed by the Senate, with amendments, on May 22, 1993: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 680 on May 31, 1993, by a viva-voce vote.

Approved June 18, 1993.

Effective Sept. 1, 1993.