

CHAPTER 819

S.B. No. 315

AN ACT

relating to the application of the professional prosecutors law to certain district and county attorneys.

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

SECTION 1. 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 2. 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, 18th, 21st, 22nd, 26th, 27th, 29th, 34th, 35th, 36th, 38th, 43rd, 47th, 49th, 51st, 52nd, 53rd, 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, 235th, 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, Webb, and Willacy.

SECTION 3. Section 43.132, Government Code, is amended to read as follows:

Sec. 43.132. 53RD JUDICIAL DISTRICT. (a) The voters of the 53rd Judicial District elect a district attorney. In addition to performing the other duties provided by law for district attorneys, the district attorney represents the state in all criminal cases before all the district courts of Travis County.

~~(b) [The district attorney is entitled to receive a salary in an amount equal to the total salary paid from state and county funds to the judge of the 53rd District Court, excluding any compensation paid to the judge with reference to juvenile board matters. The Commissioners Court of Travis County may supplement the salary of the district attorney, but the total compensation of the district attorney may not exceed the limitation provided by this subsection.]~~

~~[(c)]~~ The Commissioners Court of Travis County may supplement the salaries paid by the state to the assistant district attorneys and to the district attorney.

SECTION 4. Subsection (c), Section 43.121, Government Code, is repealed.

SECTION 5. This Act takes effect September 1, 1993.

SECTION 6. 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 15, 1993, by a viva-voce vote; the Senate concurred in House amendment on May 28, 1993, by a viva-voce vote; passed the House, with amendment, on May 26, 1993, by a non-record vote.

Approved June 19, 1993.

Effective Sept. 1, 1993.