

CHAPTER 655

S.B. No. 163

AN ACT

relating to the election and duties of the district attorneys of the 9th and 258th judicial districts.

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

ARTICLE I. AMENDMENTS

SECTION 1.01. Subsection (a), Section 43.105, Government Code, is amended to read as follows:

(a) The voters of *Montgomery, Polk, and Waller counties* [~~the 9th Judicial District~~] elect a district attorney for the *9th Judicial District who represents the state in that district court only in those counties*. The district attorney also acts as district attorney for [~~in Montgomery, Polk, and San Jacinto counties of~~] the Second 9th Judicial District in *Montgomery and Polk counties*.

SECTION 1.02. Subsection (b), Section 43.171, Government Code, is amended to read as follows:

(b) The district attorney of the 258th Judicial District also acts as district attorney for the Second 9th Judicial District in *San Jacinto and Trinity counties and as district attorney for the 9th Judicial District in San Jacinto County*.

ARTICLE II. CONTINGENT AMENDMENTS

SECTION 2.01. If S.B. No. 591, creating the office of criminal district attorney in Polk County, is enacted by the 70th Legislature, Regular Session, 1987, and becomes law, Section 1.01 of this Act has no effect, Section 1 of S.B. No. 591 is repealed, and Subsection (a), Section 43.105, Government Code, is amended to read as follows:

(a) The voters of *Montgomery and Waller counties* [~~the 9th Judicial District~~] elect a district attorney for the *9th Judicial District who represents the state in that district court only in those counties*. The district attorney also acts as district attorney for [~~in Montgomery, Polk, and San Jacinto counties of~~] the Second 9th Judicial District in *Montgomery County*.

SECTION 2.02. If S.B. No. 591, creating the office of criminal district attorney in Polk County, is enacted by the 70th Legislature, Regular Session, 1987, and becomes law, Section 2 of S.B. No. 591 is repealed, and Subsection (a), Section 43.171, Government Code, is amended to read as follows:

(a) The voters of *San Jacinto and Trinity counties* [~~the 258th Judicial District~~] elect a district attorney for the *258th Judicial District who represents the state in that district court only in those counties*. [~~In addition to exercising the duties and authority~~

~~provided by general law for district attorneys, the district attorney represents the state in all felony cases before the 258th District Court in Polk, San Jacinto, and Trinity counties.]~~

ARTICLE III. MISCELLANEOUS PROVISIONS

SECTION 3.01. This Act takes effect September 1, 1987.

SECTION 3.02. 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 May 14, 1987, by the following vote: Yeas 30, Nays 0; and that the Senate concurred in House amendments on May 31, 1987, by a viva-voce vote.

Passed the House, with amendments, on May 29, 1987, by a non-record vote.

Approved June 19, 1987.

Effective Sept. 1, 1987.