

By: Landgraf

H.B. No. 4631

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the powers and duties of the county attorney and  
3 district attorney in Ector County.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 43.137, Government Code, is amended by  
6 adding Subsections (c) and (d) to read as follows:

7 (c) In addition to exercising the duties and authority  
8 conferred on district attorneys by general law, the district  
9 attorney represents the state in the district and inferior courts  
10 in Ector County in all criminal cases, juvenile matters under Title  
11 3, Family Code, and matters involving children's protective  
12 services.

13 (d) The district attorney has no power, duty, or privilege  
14 in any civil matter, other than civil asset forfeiture and civil  
15 bond forfeiture matters.

16 SECTION 2. Subchapter B, Chapter 45, Government Code, is  
17 amended by adding Section 45.168 to read as follows:

18 Sec. 45.168. ECTOR COUNTY. (a) It is the primary duty of  
19 the county attorney in Ector County to represent the state, Ector  
20 County, and the officials of the county in all civil matters, other  
21 than asset forfeiture and bond forfeiture matters for which the  
22 district attorney is responsible, pending before the courts of  
23 Ector County and any other court in which the state, Ector County,  
24 or the county officials have matters pending.

1        (b) The county attorney has no power, duty, or privilege in  
2 Ector County relating to criminal matters, juvenile matters under  
3 Title 3, Family Code, or matters involving children's protective  
4 services.

5        SECTION 3. Section 43.137, Government Code, as amended by  
6 this Act, and Section 45.168, Government Code, as added by this Act,  
7 apply only to a proceeding commenced on or after the effective date  
8 of this Act. A proceeding commenced before the effective date of  
9 this Act is governed by the law in effect on the date the proceeding  
10 was commenced, and the former law is continued in effect for that  
11 purpose.

12        SECTION 4. This Act takes effect September 1, 2021.