

By: Toth

H.B. No. 325

A BILL TO BE ENTITLED

AN ACT

relating to a district or county attorney participating as counsel
in certain proceedings in federal court.

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

SECTION 1. Article [2.08](#), Code of Criminal Procedure, is
amended by adding Subsections (c) and (d) to read as follows:

(c) A district or county attorney may not be of counsel in a
proceeding in federal court involving enforcement of a federal
statute, order, rule, or regulation purporting to regulate a
firearm, firearm accessory, or ammunition.

(d) For purposes of Subsection (c):

(1) "Ammunition" has the meaning assigned by Section
[229.001](#), Local Government Code.

(2) "Firearm" has the meaning assigned by Section
[46.01](#), Penal Code.

(3) "Firearm accessory" means an item that is used in
conjunction with or mounted on a firearm but is not essential to the
basic function of the firearm. The term includes a detachable
firearm magazine.

SECTION 2. This Act takes effect September 1, 2023.