

By: Ortega

H.B. No. 3675

Substitute the following for H.B. No. 3675:

By: Flores

C.S.H.B. No. 3675

A BILL TO BE ENTITLED

AN ACT

relating to required management training for and proceedings for removal of certain prosecuting attorneys.

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

SECTION 1. Subchapter A, Chapter 41, Government Code, is amended by adding Section 41.016 to read as follows:

Sec. 41.016. TRAINING FOR CERTAIN PROSECUTORS. (a) A district attorney or criminal district attorney who is elected or appointed to serve a judicial district that includes a county with a population of more than 850,000 shall complete, either in person or online, a 10-hour training course on management responsibility, resources, and methods not later than the first anniversary of the date the attorney was first elected or appointed.

(b) The State Bar of Texas shall credit a district attorney or criminal district attorney who completes a course under this section with 10 continuing legal education hours.

(c) A district attorney or criminal district attorney who fails to complete the training required by this section is incompetent for purposes of removal under Chapter 87, Local Government Code.

SECTION 2. Subchapter B, Chapter 87, Local Government Code, is amended by adding Section 87.0171 to read as follows:

Sec. 87.0171. MANDATORY DISMISSAL IN CERTAIN CASES. The district judge adjudicating a petition for removal of a district

1 attorney in which the only alleged cause for removal is a violation
2 of Section 41.016, Government Code, shall dismiss the case if the
3 district attorney completes the training required by that section
4 not later than the 30th day after the date the petition is filed
5 under Section 87.015.

6 SECTION 3. (a) Except as provided by Subsection (b),
7 Section 41.016, Government Code, as added by this Act, applies only
8 to a district attorney or criminal district attorney who is first
9 elected or appointed on or after the effective date of this Act.

10 (b) A district attorney or criminal district attorney who on
11 the effective date of this Act serves a judicial district that
12 includes a county with a population of more than 850,000 shall
13 complete the training required by Section 41.016, Government Code,
14 as added by this Act, not later than September 1, 2024.

15 SECTION 4. This Act takes effect September 1, 2023.