

## **BILL ANALYSIS**

H.B. 2937  
By: Phillips  
County Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Grayson County is one of few counties in Texas in which the county attorney has felony jurisdiction. The District Attorney is generally thought of as the felony prosecutor. This often causes confusion by the public as well as other law enforcement agencies and public officials outside Grayson County as to the jurisdiction of the county attorney.

HB 2937 would abolish the office of Grayson County Attorney and create the office of the Grayson County Criminal District Attorney effective January 1, 2005.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

SECTION 1. Amends §44.001, Government Code to add Grayson County to the list of those counties in which a criminal district attorney is elected.

SECTION 2. Adds §44.191, Government Code. Provides that the criminal district attorney shall attend each term and session of the district courts and inferior courts held for the transaction of criminal business in Grayson County. The criminal district attorney shall exclusively represent the state in all criminal matters in these courts.

Criminal district attorney performs the duties conferred by law on county attorneys and district attorneys. Criminal district attorney collects fees, commissions and perquisites provided for similar services rendered by county and district attorneys.

Criminal district attorney is paid by the state an equal amount paid by the state to district attorneys. A vacancy in the office of criminal district attorney is filled by appointment by the Grayson County Commissioners Court until the next general election.

SECTION 3. Provides that the criminal district attorney of Grayson County is subject to the Professional Prosecutors provisions in Chapter 46.

SECTION 4. Repeals §45.191, Government Code

SECTION 5. Abolishes the office of county attorney of Grayson County.

SECTION 6. Provides that the initial vacancy in the office is to be filled by election in 2004 for a four year term.

SECTION 7. Sections 4 and 5 take effect January 1, 2005. All other sections take effect January 1, 2004.

### **EFFECTIVE DATE**

January 1, 2004, except that Sections 4 and 5 become effective January 1, 2005.

