

## **BILL ANALYSIS**

H.B. 3461  
By: Canales  
Judicial Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The 77th Legislature granted the district attorney of the 156th Judicial District (Bee County, Live Oak County and McMullen County) the authority to serve as county attorney for McMullen County (population 851). In instances where McMullen County had no county attorney, the district attorney for the 156th Judicial District could also step in and serve as the county attorney for McMullen County.

This practice is redundant as McMullen County hires county attorneys to serve this role. Also, because the district attorney in this case is already overwhelmed with matters that pertain to the 156th District Court, it is in the best interest of all parties involved if the legislature abolishes provisions which authorize the district attorney of the 156th Judicial District to serve also as county attorney for McMullen County.

### **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**

H.B. 3461 amends the Government Code to delete the provision authorizing the district attorney to perform the duties of the county attorney if there is no county attorney in McMullen County.

### **EFFECTIVE DATE**

September 1, 2003.