

By: Keel

H.B. No. 620

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the legal representation of county officials by private
3 attorneys in certain civil cases.

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

5 SECTION 1. Section 157.901, Local Government Code, is
6 amended by adding Subsections (b-1), (b-2), and (d) to read as
7 follows:

8 (b-1) A county official sued by the county with which the
9 official serves for an action arising from the performance of
10 public duty is entitled to have the commissioners court of the
11 county employ and pay private counsel to represent the official.

12 (b-2) A county official may sue the commissioners court if
13 necessary to receive representation under Subsection (b-1). If the
14 official prevails in the suit, the official is entitled to
15 reasonable attorney's fees incurred in receiving the
16 representation.

17 (d) A private attorney employed under this section may sue
18 the county if necessary to collect payment due under this section.
19 If the attorney prevails in the suit, the attorney is entitled to
20 reasonable attorney's fees incurred in collecting the payment.

21 SECTION 2. (a) The change in law made by this Act applies
22 only in relation to a suit under Section 157.901, Local Government
23 Code, as amended by this Act, that is filed on or after the
24 effective date of this Act. A suit that is filed before the

1 effective date of this Act is covered by the law in effect when the
2 suit was filed, and that law is continued in effect for that
3 purpose.

4 (b) This Act takes effect September 1, 2003.