

By: Ogden

S.B. No. 1932

A BILL TO BE ENTITLED

AN ACT

relating to the performance of the duties of a district attorney by the Prison Prosecution Unit in case of a vacancy in certain counties.

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

SECTION 1. Amend Art. 2.07, Code of Criminal Procedure by adding subsection (a-1) to read:

(a-1) In any instance where there is no district attorney due to a vacancy in the office in a county that has a population of less than 14,000 and borders the county in which the Prison Prosecution Unit is located, an attorney in the Prison Prosecution Unit shall perform the duties of the office until the vacancy is filled by appointment by the governor or by the voters at the next general election if the governor does not appoint an attorney before the election. This subsection expires February 1, 2005.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2003.