

By: Hegar, Howard, Olivo

H.B. No. 3263

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the powers and duties of the district attorney and  
3 county attorney in Fort Bend County.

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

5 SECTION 1. Section 43.181, Government Code, is amended by  
6 amending Subsection (c) and adding Subsection (f-1) to read as  
7 follows:

8 (c) The district attorney has the powers, duties, and  
9 privileges in Fort Bend County relating to family law and juvenile  
10 matters, except as provided by Subsection (f-1) [~~including~~  
11 ~~children's protective services~~], protective orders under Title 4  
12 [~~Chapter 71~~], Family Code, orders under Chapter 159, Family Code,  
13 and proceedings under Title 3, Family Code.

14 (f-1) The district attorney has no power, duty, or privilege  
15 in Fort Bend County relating to a matter involving children's  
16 protective services.

17 SECTION 2. Section 45.179, Government Code, is amended by  
18 adding Subsection (c-1) and amending Subsection (d) to read as  
19 follows:

20 (c-1) The county attorney has the powers, duties, and  
21 privileges in Fort Bend County relating to matters involving  
22 children's protective services.

23 (d) The county attorney has no power, duty, or privilege in  
24 Fort Bend County relating to family law and juvenile matters,

1 except as provided by Subsection (c-1) [~~including children's~~  
2 ~~protective services~~], protective orders under Title 4 [~~Chapter 71~~],  
3 Family Code, orders under Chapter 159, Family Code, and proceedings  
4 under Title 3, Family Code.

5 SECTION 3. The changes in law made by this Act to Sections  
6 43.181 and 45.179, Government Code, apply only to a proceeding  
7 commenced on or after the effective date of this Act. A proceeding  
8 commenced before the effective date of this Act is governed by the  
9 law in effect on the date the proceeding was commenced, and the  
10 former law is continued in effect for that purpose.

11 SECTION 4. This Act takes effect September 1, 2005.