

1-1 By: Hegar, et al. (Senate Sponsor - Janek) H.B. No. 3263  
1-2 (In the Senate - Received from the House May 2, 2005;  
1-3 May 3, 2005, read first time and referred to Committee on  
1-4 Jurisprudence; May 13, 2005, reported favorably by the following  
1-5 vote: Yeas 5, Nays 0; May 13, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the powers and duties of the district attorney and  
1-9 county attorney in Fort Bend County.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 43.181, Government Code, is amended by  
1-12 amending Subsection (c) and adding Subsection (f-1) to read as  
1-13 follows:

1-14 (c) The district attorney has the powers, duties, and  
1-15 privileges in Fort Bend County relating to family law and juvenile  
1-16 matters, except as provided by Subsection (f-1) [including  
1-17 children's protective services], protective orders under Title 4  
1-18 [~~Chapter 71~~], Family Code, orders under Chapter 159, Family Code,  
1-19 and proceedings under Title 3, Family Code.

1-20 (f-1) The district attorney has no power, duty, or privilege  
1-21 in Fort Bend County relating to a matter involving children's  
1-22 protective services.

1-23 SECTION 2. Section 45.179, Government Code, is amended by  
1-24 adding Subsection (c-1) and amending Subsection (d) to read as  
1-25 follows:

1-26 (c-1) The county attorney has the powers, duties, and  
1-27 privileges in Fort Bend County relating to matters involving  
1-28 children's protective services.

1-29 (d) The county attorney has no power, duty, or privilege in  
1-30 Fort Bend County relating to family law and juvenile matters,  
1-31 except as provided by Subsection (c-1) [including children's  
1-32 protective services], protective orders under Title 4 [~~Chapter 71~~],  
1-33 Family Code, orders under Chapter 159, Family Code, and proceedings  
1-34 under Title 3, Family Code.

1-35 SECTION 3. The changes in law made by this Act to Sections  
1-36 43.181 and 45.179, Government Code, apply only to a proceeding  
1-37 commenced on or after the effective date of this Act. A proceeding  
1-38 commenced before the effective date of this Act is governed by the  
1-39 law in effect on the date the proceeding was commenced, and the  
1-40 former law is continued in effect for that purpose.

1-41 SECTION 4. This Act takes effect September 1, 2005.

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