

AN ACT

relating to the application of the professional prosecutors law to the district attorney for the 109th Judicial District.

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

SECTION 1. Section 46.002, Government Code, is amended to read as follows:

Sec. 46.002. PROSECUTORS SUBJECT TO CHAPTER. This chapter applies to all county prosecutors and to the following state prosecutors:

(1) the district attorneys for the 1st, 2nd, 8th, 9th, 12th, 18th, 21st, 23rd, 25th, 26th, 27th, 29th, 31st, 32nd, 33rd, 34th, 35th, 36th, 38th, 42nd, 43rd, 47th, 49th, 50th, 51st, 52nd, 53rd, 63rd, 64th, 66th, 69th, 70th, 76th, 81st, 83rd, 84th, 85th, 88th, 90th, 97th, 100th, 105th, 106th, 109th, 110th, 112th, 118th, 119th, 123rd, 142nd, 145th, 156th, 159th, 173rd, 196th, 198th, 216th, 220th, 229th, 235th, 253rd, 258th, 259th, 266th, 268th, 271st, 278th, 286th, 329th, 349th, and 355th judicial districts;

(2) the criminal district attorneys for the counties of Anderson, Austin, Bastrop, Bexar, Bowie, Brazoria, Caldwell, Calhoun, Cass, Collin, Comal, Dallas, Deaf Smith, Denton, Eastland, Galveston, Grayson, Gregg, Harrison, Hays, Hidalgo, Jasper, Jefferson, Kaufman, Lubbock, McLennan, Madison, Navarro, Newton, Panola, Polk, Randall, Rockwall, San Jacinto, Smith, Tarrant, Taylor, Tyler, Upshur, Van Zandt, Victoria, Walker, Waller,

1 Wichita, Wood, and Yoakum; and

2 (3) the county attorneys performing the duties of  
3 district attorneys in the counties of Andrews, Callahan, Cameron,  
4 Castro, Colorado, Crosby, Ellis, Falls, Fannin, Freestone, Lamar,  
5 Lamb, Lampasas, Lee, Limestone, Marion, Milam, Morris, Ochiltree,  
6 Orange, Rains, Red River, Robertson, Rusk, Terry, Webb, and  
7 Willacy.

8 SECTION 2. Effective January 1, 2009, Section 46.002,  
9 Government Code, is amended to read as follows:

10 Sec. 46.002. PROSECUTORS SUBJECT TO CHAPTER. This chapter  
11 applies to all county prosecutors and to the following state  
12 prosecutors:

13 (1) the district attorneys for the 1st, 2nd, 8th, 9th,  
14 12th, 18th, 21st, 23rd, 25th, 26th, 27th, 29th, 31st, 32nd, 33rd,  
15 34th, 35th, 36th, 38th, 42nd, 43rd, 47th, 49th, 50th, 51st, 52nd,  
16 53rd, 63rd, 64th, 66th, 69th, 70th, 76th, 81st, 83rd, 84th, 85th,  
17 88th, 90th, 97th, 100th, 105th, 106th, 109th, 110th, 112th, 118th,  
18 119th, 123rd, 142nd, 145th, 156th, 159th, 173rd, 196th, 198th,  
19 216th, 220th, 229th, 235th, 253rd, 258th, 259th, 266th, 268th,  
20 271st, 278th, 286th, 329th, 344th, 349th, and 355th judicial  
21 districts;

22 (2) the criminal district attorneys for the counties  
23 of Anderson, Austin, Bastrop, Bexar, Bowie, Brazoria, Caldwell,  
24 Calhoun, Cass, Collin, Comal, Dallas, Deaf Smith, Denton, Eastland,  
25 Galveston, Grayson, Gregg, Harrison, Hays, Hidalgo, Jasper,  
26 Jefferson, Kaufman, Lubbock, McLennan, Madison, Navarro, Newton,  
27 Panola, Polk, Randall, Rockwall, San Jacinto, Smith, Tarrant,

1 Taylor, Tyler, Upshur, Van Zandt, Victoria, Walker, Waller,  
2 Wichita, Wood, and Yoakum; and

3 (3) the county attorneys performing the duties of  
4 district attorneys in the counties of Andrews, Callahan, Cameron,  
5 Castro, Colorado, Crosby, Ellis, Falls, Fannin, Freestone, Lamar,  
6 Lamb, Lampasas, Lee, Limestone, Marion, Milam, Morris, Ochiltree,  
7 Orange, Rains, Red River, Robertson, Rusk, Terry, Webb, and  
8 Willacy.

9 SECTION 3. Section 43.150, Government Code, is amended to  
10 read as follows:

11 Sec. 43.150. 109TH JUDICIAL DISTRICT. [~~(a)~~] The voters of  
12 Crane and Winkler counties elect a district attorney for the 109th  
13 Judicial District who represents the state in that district court  
14 only in those counties.

15 [~~(b) The commissioners courts of the counties comprising~~  
16 ~~the district may supplement the state salary of the district~~  
17 ~~attorney in an amount not to exceed \$2,000 a year. Each~~  
18 ~~commissioners court shall pay a proportionate share of the~~  
19 ~~supplemental salary according to the population of the county.]~~

20 SECTION 4. This Act takes effect September 1, 2007.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 2288 was passed by the House on April 5, 2007, by the following vote: Yeas 137, Nays 0, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 2288 was passed by the Senate on May 15, 2007, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor