

By: Gallego

H.B. No. 3932

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the office of district attorney for certain judicial  
3 districts.

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

5 SECTION 1. Section 43.120, Government Code, is amended to  
6 read as follows:

7 Sec. 43.120. 34TH JUDICIAL DISTRICT. (a) The voters of  
8 [~~Culberson, Hudspeth, and~~] El Paso county [counties] elect a  
9 district attorney for the 34th Judicial District.

10 (b) The district attorney for the 34th Judicial District  
11 also acts as district attorney for the 41st, 65th, 120th, and 171st  
12 judicial districts, [~~the 394th Judicial District in Culberson and~~  
13 ~~Hudspeth counties,~~] and represents the state in all criminal cases  
14 before every district court having jurisdiction in El Paso County.

15 (c) The district attorney represents the state in all  
16 criminal cases pending in the inferior courts having jurisdiction  
17 in El Paso County.

18 [~~(d) The commissioners courts of Culberson and Hudspeth~~  
19 ~~counties shall each pay to El Paso County \$100 a month to be~~  
20 ~~expended, on sworn claims of the district attorney approved by the~~  
21 ~~Commissioners Court of El Paso County, for the preparation and~~  
22 ~~conduct of criminal affairs of the district attorney's office.]~~

23 (e) For the purpose of conducting his office, the district  
24 attorney may appoint two first assistant district attorneys, or one

1 first assistant district attorney and one first assistant  
2 administrative district attorney, and the other assistant district  
3 attorneys that are necessary to the proper performance of the  
4 district attorney's duties.

5 (f) The assistants and other employees of the district  
6 attorney are compensated by the Commissioners Court of El Paso  
7 County. The Commissioners Court of El Paso County must approve the  
8 number of assistants and other employees appointed and the amount  
9 of compensation of those employees.

10 SECTION 2. Section 43.141, Government Code, is amended to  
11 read as follows:

12 Sec. 43.141. 83RD JUDICIAL DISTRICT. (a) The voters of  
13 Brewster, Culberson, Hudspeth, Jeff Davis, [~~Pecos~~] and Presidio  
14 counties elect a district attorney for the 83rd Judicial District.

15 (b) The district attorney for the 83rd district also acts as  
16 district attorney for the 394th Judicial District in Brewster,  
17 Culberson, Hudspeth, Jeff Davis, and Presidio counties.

18 SECTION 3. Section 43.152, Government Code, is amended to  
19 read as follows:

20 Sec. 43.152. 112TH JUDICIAL DISTRICT. (a) The voters of  
21 the 112th Judicial District elect a district attorney.

22 (b) The district attorney for the 112th district also acts  
23 as district attorney for the 83rd Judicial District in Pecos  
24 county.

25 SECTION 4. (a) This Act takes effect September 1, 2013.

26 (b) On the effective date of this Act, the district attorney  
27 for the 34th Judicial District shall transfer all matters for

1 Culberson and Hudspeth counties under the district attorney's  
2 control to the district attorney for the 83rd Judicial District.

3 (c) On the effective date of this Act, the district attorney  
4 for the 83rd Judicial District shall transfer all matters for Pecos  
5 county under the district attorney's control to the district  
6 attorney for the 112th Judicial District.

7 (d) On the effective date of this Act, the several district  
8 courts shall promptly enter any orders for substitution of counsel  
9 as necessary to permit the appearance by the 83rd and 112th Judicial  
10 Districts on behalf of state pending before the several district  
11 courts.