

By: Kolkhorst

H.B. No. 1259

A BILL TO BE ENTITLED

AN ACT

relating to hiring outside legal counsel to provide legal services to the Teacher Retirement System of Texas.

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

SECTION 1. Section 825.203, Government Code, is amended to read as follows:

Sec. 825.203. LEGAL REPRESENTATION [~~ADVISER~~]. (a) The attorney general of the state is the legal adviser of the board of trustees. The attorney general shall represent the board in all litigation.

(b) The board may not employ outside legal counsel to provide legal services to the retirement system except as provided by Section 402.0212, regardless of the source of funds to be used to pay the outside counsel. For purposes of this subsection, "legal services" includes services provided by an attorney regarding ethics and fiduciary responsibilities.

SECTION 2. Section 825.203(b), Government Code, as added by this Act, is intended to clarify rather than change existing law.

SECTION 3. 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, 2009.