

By: Duncan

S.B. No. 1166

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the duties and salary of the county attorney of Swisher  
3 County and the election and duties of the district attorney for the  
4 64th Judicial District.

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

6 SECTION 1. Subsection (a), Section 43.134, Government Code,  
7 is amended to read as follows:

8 (a) The voters of Hale County [~~and Swisher counties~~] elect a  
9 district attorney for the 64th Judicial District who represents the  
10 state in that district court only in Hale County [~~those counties~~].

11 SECTION 2. Subchapter B, Chapter 45, Government Code, is  
12 amended by adding Section 45.319 to read as follows:

13 Sec. 45.319. SWISHER COUNTY. The county attorney in  
14 Swisher County shall represent the state in all matters pending  
15 before the district court in Swisher County.

16 SECTION 3. Section 46.002, Government Code, is amended to  
17 read as follows:

18 Sec. 46.002. PROSECUTORS SUBJECT TO CHAPTER. This chapter  
19 applies to the state prosecuting attorney, all county prosecutors,  
20 and the following state prosecutors:

21 (1) the district attorneys for Kenedy and Kleberg  
22 Counties and for the 1st, 2nd, 8th, 9th, 12th, 18th, 21st, 23rd,  
23 25th, 26th, 27th, 29th, 31st, 32nd, 33rd, 34th, 35th, 36th, 38th,  
24 39th, 42nd, 43rd, 46th, 47th, 49th, 50th, 51st, 52nd, 53rd, 63rd,

1 64th, 66th, 69th, 70th, 76th, 81st, 83rd, 84th, 85th, 88th, 90th,  
2 97th, 100th, 105th, 106th, 109th, 110th, 112th, 118th, 119th,  
3 123rd, 142nd, 143rd, 145th, 156th, 159th, 173rd, 196th, 198th,  
4 216th, 220th, 229th, 235th, 253rd, 258th, 259th, 266th, 268th,  
5 271st, 286th, 329th, 344th, 349th, 355th, and 506th judicial  
6 districts;

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

15           (3) the county attorneys performing the duties of  
16 district attorneys in the counties of Andrews, Callahan, Cameron,  
17 Castro, Colorado, Crosby, Ellis, Falls, Freestone, Lamar, Lamb,  
18 Lampasas, Lee, Limestone, Marion, Milam, Morris, Ochiltree,  
19 Orange, Rains, Red River, Robertson, Rusk, Swisher, Terry, Webb,  
20 and Willacy.

21           SECTION 4. This Act does not make an appropriation. A  
22 provision in this Act that creates a new governmental program,  
23 creates a new entitlement, or imposes a new duty on a governemntal  
24 entity is not mandatory during a fiscal period for which the  
25 legislature has not made a specific appropriation to implement the  
26 provision.

27           SECTION 5. This Act takes effect September 1, 2009.