

By: Christian

H.B. No. 3482

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the creation of a statewide district court with
3 exclusive, original jurisdiction over certain cases and the
4 creation of the office of district attorney for the 200th Judicial
5 District.

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

7 SECTION 1. Effective January 1, 2013, Section 24.379,
8 Government Code, is amended to read as follows:

9 Sec. 24.379. 200TH JUDICIAL DISTRICT (DISTRICT OF TEXAS
10 [~~TRAVIS COUNTY~~]). (a) The 200th Judicial District is composed of
11 every county in the state [~~Travis County~~].

12 (b) Notwithstanding any other law, the 200th District Court
13 has exclusive original jurisdiction over:

14 (1) all cases alleging criminal conduct related to
15 the official duties of:

16 (A) an officer of, officer-elect of, candidate
17 for, or employee of any state agency, department, or office in the
18 executive, legislative, or judicial branch of state government;

19 (B) a board, commission, department, office, or
20 other agency in the executive branch of state government, including
21 an institution of higher education as defined by Section 61.003,
22 Education Code; or

23 (C) the legislature or a legislative agency;

24 (2) insurance fraud offenses punishable under Chapter

1 35, Penal Code;

2 (3) all criminal cases alleging fraud related to motor
3 fuel taxes due under Chapter 162, Tax Code;

4 (4) all criminal cases alleging workers' compensation
5 fraud; and

6 (5) all cases involving contempt of the legislature.

7 (c) The 200th District Court shall give preference to the
8 cases described by Subsection (b).

9 SECTION 2. Effective January 1, 2013, Subchapter B, Chapter
10 43, Government Code, is amended by adding Section 43.1655 to read as
11 follows:

12 Sec. 43.1655. 200TH JUDICIAL DISTRICT. The voters of the
13 200th Judicial District elect a district attorney.

14 SECTION 3. Effective January 1, 2013, Section 46.002,
15 Government Code, is amended to read as follows:

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

19 (1) the district attorneys for Kenedy and Kleberg
20 Counties and for the 1st, 2nd, 8th, 9th, 12th, 18th, 21st, 23rd,
21 25th, 26th, 27th, 29th, 31st, 32nd, 33rd, 34th, 35th, 36th, 38th,
22 39th, 42nd, 43rd, 46th, 47th, 49th, 50th, 51st, 52nd, 53rd, 63rd,
23 64th, 66th, 69th, 70th, 76th, 81st, 83rd, 84th, 85th, 88th, 90th,
24 97th, 100th, 105th, 106th, 109th, 110th, 112th, 118th, 119th,
25 123rd, 142nd, 143rd, 145th, 156th, 159th, 173rd, 196th, 198th,
26 200th, 216th, 220th, 229th, 235th, 253rd, 258th, 259th, 266th,
27 268th, 271st, 286th, 329th, 344th, 349th, 355th, and 506th judicial

1 districts;

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

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

16 SECTION 4. Effective January 1, 2013, Sections 301.027(b)
17 and (c), Government Code, are amended to read as follows:

18 (b) If the president of the senate or speaker receives a
19 report or statement of facts as provided by Subsection (a), the
20 president of the senate or speaker shall certify the statement of
21 facts to the [~~Travis County~~] district attorney for the 200th
22 Judicial District under the seal of the senate or house of
23 representatives, as appropriate.

24 (c) The [~~Travis County~~] district attorney for the 200th
25 Judicial District shall bring the matter before the grand jury for
26 action. If the grand jury returns an indictment, the district
27 attorney shall prosecute the indictment.

1 SECTION 5. For purposes of the primary and general
2 elections in 2012, the 200th Judicial District is considered to be a
3 statewide district.

4 SECTION 6. (a) To the extent that existing rules regarding
5 court administration are inconsistent with this Act, the Texas
6 Supreme Court shall promulgate rules necessary for the efficient
7 and uniform administration of justice in the 200th District Court.

8 (b) Notwithstanding any other law, the secretary of state
9 may adopt the rules and procedures necessary to implement Section
10 24.379, Government Code, as amended by this Act, and Section
11 43.1655, Government Code, as added by this Act.

12 SECTION 7. The change in law made by this Act to Section
13 24.379, Government Code, applies only to a case filed on or after
14 January 1, 2013. A case filed before January 1, 2013, is governed
15 by the law in effect on the date the case was filed, and the former
16 law is continued in effect for that purpose.

17 SECTION 8. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2011.