

BILL ANALYSIS

H.B. 1847
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

All attorneys in Texas, including prosecutors, are currently required to meet the minimum continuing legal education requirements set by the State Bar of Texas. However, interested parties express concern that there is no specific requirement for prosecutors to complete training on the subject of prosecutorial misconduct. H.B. 1847 seeks to address that void by establishing continuing legal education requirements for certain prosecutors relating to prosecutorial ethics and prosecutorial misconduct.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1847 amends the Government Code to require each county attorney or district attorney who represents this state in criminal cases to complete at least one hour on ethics related to the attorney's duties as a prosecutor, including prosecutorial misconduct, as part of the state bar's minimum continuing legal education requirements on legal ethics or professional responsibility for a reporting year. The bill requires a county attorney or district attorney to complete such continuing legal education not later than the 180th day after the date the person initially assumes the person's duties as county attorney or district attorney. The bill requires a person serving as a county attorney or district attorney on the bill's effective date who is subject to the bill's provisions to comply with the bill's continuing legal education requirements not later than March 1, 2014.

EFFECTIVE DATE

September 1, 2013.