

By: Guillen

H.B. No. 577

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the representation of certain applicants for writs of  
3 habeas corpus in cases involving the death penalty.

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

5 SECTION 1. Article 26.044(n), Code of Criminal Procedure,  
6 is amended to read as follows:

7 (n) An attorney employed by a public defender's office may  
8 be appointed with respect to an application for a writ of habeas  
9 corpus filed under Article 11.071 only if:

10 (1) an attorney employed by the office of capital  
11 writs is not appointed in the case; and

12 (2) the attorney employed by the public defender's  
13 office is on the list of competent counsel maintained under Section  
14 78.056, Government Code.

15 SECTION 2. This Act takes effect immediately if it receives  
16 a vote of two-thirds of all the members elected to each house, as  
17 provided by Section 39, Article III, Texas Constitution. If this  
18 Act does not receive the vote necessary for immediate effect, this  
19 Act takes effect September 1, 2013.