

By: Kleinschmidt

H.B. No. 696

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the duties of and the application of the professional  
3 prosecutors law to the county attorneys in Gonzales and Lavaca  
4 Counties and to the duties of the district attorney for the 25th  
5 Judicial District.

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

7 SECTION 1. Section 43.112, Government Code, is amended to  
8 read as follows:

9 Sec. 43.112. 25TH JUDICIAL DISTRICT. The voters of  
10 [~~Gonzales,~~ Guadalupe County [~~, and Lavaca counties~~] elect a  
11 district attorney for the 25th Judicial District who represents the  
12 state in the [that] district courts in Guadalupe County [~~court only~~  
13 ~~in those counties~~]. In addition to exercising the duties and  
14 authority conferred on district attorneys by general law, the  
15 district attorney represents the state in all criminal cases in the  
16 district courts in that county [~~those counties~~].

17 SECTION 2. Subchapter B, Chapter 45, Government Code, is  
18 amended by adding Section 45.189 to read as follows:

19 Sec. 45.189. GONZALES COUNTY. (a) In Gonzales County, the  
20 county attorney of Gonzales County shall perform the duties imposed  
21 on and have the powers conferred on district attorneys by general  
22 law.

23 (b) The county attorney of Gonzales County or the  
24 Commissioners Court of Gonzales County may accept gifts or grants

1 from any individual, partnership, corporation, trust, foundation,  
2 association, or governmental entity for the purpose of financing or  
3 assisting the operation of the office of county attorney in  
4 Gonzales County. The county attorney shall account for and report  
5 to the commissioners court all gifts or grants accepted under this  
6 subsection.

7 SECTION 3. Subchapter B, Chapter 45, Government Code, is  
8 amended by adding Section 45.243 to read as follows:

9 Sec. 45.243. LAVACA COUNTY. (a) In Lavaca County, the  
10 county attorney of Lavaca County shall perform the duties imposed  
11 on and have the powers conferred on district attorneys by general  
12 law.

13 (b) The county attorney of Lavaca County or the  
14 Commissioners Court of Lavaca County may accept gifts or grants  
15 from any individual, partnership, corporation, trust, foundation,  
16 association, or governmental entity for the purpose of financing or  
17 assisting the operation of the office of county attorney in Lavaca  
18 County. The county attorney shall account for and report to the  
19 commissioners court all gifts or grants accepted under this  
20 subsection.

21 SECTION 4. Section 46.002, Government Code, is amended to  
22 read as follows:

23 Sec. 46.002. PROSECUTORS SUBJECT TO CHAPTER. This chapter  
24 applies to the state prosecuting attorney, all county prosecutors,  
25 and the following state prosecutors:

26 (1) the district attorneys for Kenedy and Kleberg  
27 Counties and for the 1st, 2nd, 8th, 9th, 12th, 18th, 21st, 23rd,

1 25th, 26th, 27th, 29th, 31st, 32nd, 33rd, 34th, 35th, 36th, 38th,  
2 39th, 42nd, 43rd, 46th, 47th, 49th, 50th, 51st, 52nd, 53rd, 63rd,  
3 64th, 66th, 69th, 70th, 76th, 81st, 83rd, 84th, 85th, 88th, 90th,  
4 97th, 100th, 105th, 106th, 109th, 110th, 112th, 118th, 119th,  
5 123rd, 142nd, 143rd, 145th, 156th, 159th, 173rd, 196th, 198th,  
6 216th, 220th, 229th, 235th, 253rd, 258th, 259th, 266th, 268th,  
7 271st, 286th, 329th, 344th, 349th, 355th, and 506th judicial  
8 districts;

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

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

23           SECTION 5. This Act takes effect September 1, 2013.