

By: Kolkhorst

H.B. No. 717

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the duties of and the application of the professional
3 prosecutors law to the county attorney in Lavaca County and to the
4 duties of the district attorney for the 25th Judicial District.

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

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

8 Sec. 43.112. 25TH JUDICIAL DISTRICT. The voters of
9 Gonzales and [~~7~~] Guadalupe Counties [~~7 and Lavaca counties~~] elect a
10 district attorney for the 25th Judicial District who represents the
11 state in that district court only in those counties. In addition to
12 exercising the duties and authority conferred on district attorneys
13 by general law, the district attorney represents the state in all
14 criminal cases in the district courts in those counties.

15 SECTION 2. Subchapter B, Chapter 45, Government Code, is
16 amended by adding Section 45.243 to read as follows:

17 Sec. 45.243. LAVACA COUNTY. (a) In Lavaca County, the
18 county attorney of Lavaca County shall perform the duties imposed
19 on and have the powers conferred on district attorneys by general
20 law.

21 (b) The county attorney of Lavaca County or the
22 Commissioners Court of Lavaca County may accept gifts or grants
23 from any individual, partnership, corporation, trust, foundation,
24 association, or governmental entity for the purpose of financing or

1 assisting the operation of the office of county attorney in Lavaca
2 County. The county attorney shall account for and report to the
3 commissioners court all gifts or grants accepted under this
4 subsection.

5 SECTION 3. Section 46.002, Government Code, is amended to
6 read as follows:

7 Sec. 46.002. PROSECUTORS SUBJECT TO CHAPTER. This chapter
8 applies to the state prosecuting attorney, all county prosecutors,
9 and the following state prosecutors:

10 (1) the district attorneys for Kenedy and Kleberg
11 Counties and for the 1st, 2nd, 8th, 9th, 12th, 18th, 21st, 23rd,
12 25th, 26th, 27th, 29th, 31st, 32nd, 33rd, 34th, 35th, 36th, 38th,
13 39th, 42nd, 43rd, 46th, 47th, 49th, 50th, 51st, 52nd, 53rd, 63rd,
14 64th, 66th, 69th, 70th, 76th, 81st, 83rd, 84th, 85th, 88th, 90th,
15 97th, 100th, 105th, 106th, 109th, 110th, 112th, 118th, 119th,
16 123rd, 142nd, 143rd, 145th, 156th, 159th, 173rd, 196th, 198th,
17 216th, 220th, 229th, 235th, 253rd, 258th, 259th, 266th, 268th,
18 271st, 286th, 329th, 344th, 349th, 355th, and 506th judicial
19 districts;

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

1 (3) the county attorneys performing the duties of
2 district attorneys in the counties of Andrews, Callahan, Cameron,
3 Castro, Colorado, Crosby, Ellis, Falls, Freestone, Lamar, Lamb,
4 Lampasas, Lavaca, Lee, Limestone, Marion, Milam, Morris,
5 Ochiltree, Orange, Rains, Red River, Robertson, Rusk, Swisher,
6 Terry, Webb, and Willacy.

7 SECTION 4. This Act takes effect September 1, 2013.