

1-1 By: Williams S.B. No. 1285
 1-2 (In the Senate - Filed March 7, 2013; March 13, 2013, read
 1-3 first time and referred to Committee on Criminal Justice;
 1-4 April 18, 2013, reported favorably by the following vote: Yeas 6,
 1-5 Nays 0; April 18, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Whitmire	X			
1-8 Huffman	X			
1-9 Carona	X			
1-10 Hinojosa			X	
1-11 Patrick	X			
1-12 Rodriguez	X			
1-13 Schwertner	X			

1-15 A BILL TO BE ENTITLED
 1-16 AN ACT

1-17 relating to the operation of the special prosecution unit.
 1-18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-19 SECTION 1. Section 41.303, Government Code, is amended by
 1-20 amending Subsection (a) and adding Subsections (c) and (d) to read
 1-21 as follows:
 1-22 (a) The unit is governed by a board of directors composed of
 1-23 each prosecuting attorney who:
 1-24 (1) represents the state in criminal matters before a
 1-25 court in a county in which one or more facilities owned or operated
 1-26 by or under contract with the department or the commission are
 1-27 located; and
 1-28 (2) has entered into a memorandum of understanding
 1-29 with the unit for the prosecution of offenses and delinquent
 1-30 conduct described by Article 104.003(a), Code of Criminal
 1-31 Procedure.
 1-32 (c) The board of directors shall meet annually for the
 1-33 purpose of electing the executive board and approving or amending
 1-34 bylaws governing the unit.
 1-35 (d) A majority of the members of the board of directors
 1-36 constitutes a quorum for the transaction of business. The board of
 1-37 directors must approve any action by a majority vote of the members
 1-38 present.
 1-39 SECTION 2. Section 41.304, Government Code, is amended by
 1-40 amending Subsection (b) and adding Subsections (c) and (d) to read
 1-41 as follows:
 1-42 (b) If a vacancy on the executive board occurs before the
 1-43 end of the vacating member's term, the executive board ~~of~~
 1-44 ~~directors~~ shall elect a person to serve the remainder of the
 1-45 ~~[vacating member's]~~ term ~~[in the manner provided by Subsection~~
 1-46 ~~(a)]~~. To be eligible for election under this subsection, a person
 1-47 must meet any qualifications required of the vacating member for
 1-48 service on the executive board.
 1-49 (c) The executive board shall conduct the business of the
 1-50 unit.
 1-51 (d) A majority of the members of the executive board
 1-52 constitutes a quorum for the transaction of business. The
 1-53 executive board must approve any action by a majority vote of the
 1-54 members present.
 1-55 SECTION 3. Subsection (d), Section 41.305, Government Code,
 1-56 is amended to read as follows:
 1-57 (d) If a vacancy occurs in the office of presiding officer
 1-58 or assistant presiding officer before the end of the vacating
 1-59 officer's term, the executive board ~~of directors~~ shall elect a
 1-60 person to serve the remainder of the ~~[vacating officer's]~~ term ~~[in~~
 1-61 ~~the manner provided by Subsection (a)]~~.

2-1 SECTION 4. Section 41.308, Government Code, is amended to
2-2 read as follows:

2-3 Sec. 41.308. CHIEF OF SPECIAL PROSECUTION UNIT; ADDITIONAL
2-4 EMPLOYEES. The executive board [~~of directors~~], on a majority vote,
2-5 shall employ a person to serve as chief of the unit and additional
2-6 persons to accomplish the unit's purposes. The board of directors
2-7 may determine the compensation of the unit's employees.

2-8 SECTION 5. This Act takes effect September 1, 2013.

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