

By: Geren

H.B. No. 2038

A BILL TO BE ENTITLED

AN ACT

relating to legal representation for certain emergency services districts.

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

SECTION 1. Subchapter C, Chapter 775, Health and Safety Code, is amended by adding Section 775.0315 to read as follows:

Sec. 775.0315. LEGAL REPRESENTATION. (a) This section applies only to a district located wholly in a county with a population of 1.8 million or more in which two or more cities with a population of 350,000 or more are located.

(b) A district may employ or contract with private legal counsel to represent the district on any legal matter. If the district does not employ or contract with private legal counsel on a legal matter, the county attorney, district attorney, or criminal district attorney, as appropriate, with the duty to represent the county in civil matters shall represent the district.

(c) A district that receives legal services from a county attorney, district attorney, or criminal district attorney may employ additional private legal counsel on the board's determination that additional counsel is advisable. A district that contracts or employs private legal counsel under Subsection (b) may request and receive additional legal services from the county attorney, district attorney, or criminal district attorney, as appropriate, with the duty to represent the county in civil

1 matters on the board's determination that additional counsel is  
2 necessary.

3 (d) If the district receives legal services from a county  
4 attorney, district attorney, or criminal district attorney, the  
5 district shall contribute money to be credited to the county's  
6 general fund account for the county attorney, district attorney, or  
7 criminal district attorney, as appropriate, in amounts sufficient  
8 to pay all additional salaries and expenses incurred by that  
9 officer in performing the duties required by the district.

10 SECTION 2. This Act takes effect immediately if it receives  
11 a vote of two-thirds of all the members elected to each house, as  
12 provided by Section 39, Article III, Texas Constitution. If this  
13 Act does not receive the vote necessary for immediate effect, this  
14 Act takes effect September 1, 2015.