

By: Ellis

S.B. No. 338

A BILL TO BE ENTITLED

AN ACT

relating to duties of prosecutors.

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

SECTION 1. Article 2.08, Code of Criminal Procedure, is amended to read as follows:

Art. 2.08 DISQUALIFIED

(a) District and county attorneys shall not be of counsel adversely to the State in any case, in any court, nor shall they, after they cease to be such officers, be of counsel adversely to the State in any case in which they have been of counsel for the State. District and county attorneys shall be disqualified from representing the State when a peace officer as defined by Article 2.12, Code of Criminal Procedure, is the subject of a felony criminal investigation involving alleged criminal conduct while acting in his or her official capacity in a particular district and whose agency submits cases for prosecution in that district.

Section 2. This Act takes effect January 1, 2016.