

1-1 By: Rodríguez S.B. No. 469  
 1-2 (In the Senate - Filed February 6, 2015; February 10, 2015,  
 1-3 read first time and referred to Committee on Intergovernmental  
 1-4 Relations; May 12, 2015, reported adversely, with favorable  
 1-5 Committee Substitute by the following vote: Yeas 5, Nays 0,  
 1-6 1 present not voting; May 12, 2015, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Lucio	X			
1-9 Bettencourt	X			
1-10 Campbell	X			
1-11 Garcia	X			
1-12 Menéndez	X			
1-13 Nichols			X	
1-14 Taylor of Galveston				X

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 469 By: Lucio

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to legal services provided by a district or county  
 1-20 attorney to county and precinct officials.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 41.007, Government Code, is amended to  
 1-23 read as follows:

1-24 Sec. 41.007. OPINIONS TO COUNTY AND PRECINCT OFFICIALS.

1-25 (a) A [district or county attorney, on request, shall give to a]  
 1-26 county or precinct official may request in writing [of his district  
 1-27 or county] a written opinion or written advice relating to the  
 1-28 official duties of that official, including the interpretation of a  
 1-29 statute relating to the official duties of the official, from the  
 1-30 district or county attorney.

1-31 (b) Not later than the 30th day after the date a written  
 1-32 request is submitted under Subsection (a), the district or county  
 1-33 attorney shall:

1-34 (1) grant the request and provide the written opinion  
 1-35 or written advice;

1-36 (2) deny the request in writing; or

1-37 (3) provide written notification to the requestor that  
 1-38 the opinion or written advice cannot be provided by the date  
 1-39 prescribed by this subsection and specify a date by which the  
 1-40 opinion or advice will be provided, which must be reasonable.

1-41 (c) If a county or precinct official is sued for an action  
 1-42 arising from the performance of a public duty as a result of  
 1-43 following an opinion or the advice provided under Subsection (a),  
 1-44 the county or precinct official is entitled to representation as  
 1-45 provided by Section 157.901, Local Government Code.

1-46 (d) In this section, "county official" includes a county  
 1-47 auditor.

1-48 SECTION 2. The changes in law made by Section 41.007,  
 1-49 Government Code, as amended by this Act, apply only to a request  
 1-50 submitted for a written opinion or written advice on or after the  
 1-51 effective date of this Act. A request submitted before the  
 1-52 effective date of this Act is governed by the law in effect when the  
 1-53 request was submitted, and the former law is continued in effect for  
 1-54 that purpose.

1-55 SECTION 3. This Act takes effect immediately if it receives  
 1-56 a vote of two-thirds of all the members elected to each house, as  
 1-57 provided by Section 39, Article III, Texas Constitution. If this  
 1-58 Act does not receive the vote necessary for immediate effect, this  
 1-59 Act takes effect September 1, 2015.

1-60 \* \* \* \* \*