

**House Bill 2524**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

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

Sec. 41.007. OPINIONS TO COUNTY AND PRECINCT OFFICIALS. ~~(a) A [district or county attorney, on request, shall give to a]~~ county or precinct official may request in writing [of his district or county] a written opinion or written advice relating to the official duties of that official, including the interpretation of a statute relating to the official duties of the official, from the district or county attorney.

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

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

(2) deny the request in writing; or

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

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

(d) If a county or precinct official requests and obtains legal advice under this section and fails to implement the advice, the official is not entitled to representation as provided by Section 157.901, Local Government Code, in an action arising from that failure and shall personally reimburse the county for any damages incurred by the county as a result of that failure.

(e) In this section, "county official" includes a county auditor.

SENATE VERSION (CS)

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

Sec. 41.007. OPINIONS TO COUNTY AND PRECINCT OFFICIALS. ~~(a) A [district or county attorney, on request, shall give to a]~~ county or precinct official may request in writing [of his district or county] a written opinion or written advice relating to the official duties of that official, including the interpretation of a statute relating to the official duties of the official, from the district or county attorney.

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

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

(2) deny the request in writing; or

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

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

(d) In this section, "county official" includes a county auditor.

CONFERENCE

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HOUSE VERSION

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

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

SENATE VERSION (CS)

SECTION 2. Same as House version.

SECTION 3. Same as House version.

CONFERENCE