

1-1 By: Perry S.B. No. 1214
 1-2 (In the Senate - Filed March 2, 2017; March 9, 2017, read
 1-3 first time and referred to Committee on Criminal Justice;
 1-4 April 26, 2017, reported favorably by the following vote: Yeas 8,
 1-5 Nays 0; April 26, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15	X			
1-16	X			

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

1-19 relating to a succession plan for a regional public defender's
 1-20 office that primarily handles capital cases.

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

1-22 SECTION 1. Subchapter C, Chapter 79, Government Code, is
 1-23 amended by adding Section 79.042 to read as follows:

1-24 Sec. 79.042. SUCCESSION PLAN FOR CERTAIN PUBLIC DEFENDERS'
 1-25 OFFICES. (a) In this section, "governmental entity" has the
 1-26 meaning assigned by Article 26.044, Code of Criminal Procedure.

1-27 (b) As a condition of a grant awarded by the commission to a
 1-28 regional public defender's office that primarily handles capital
 1-29 cases, the commission may establish for the public defender's
 1-30 office a succession plan to take effect only if the commissioners
 1-31 court of the county in which the central administrative office of
 1-32 the public defender's office is located ceases for any reason to be
 1-33 a party to the agreement creating or designating the public
 1-34 defender's office.

1-35 (c) A succession plan established under Subsection (b) may:

1-36 (1) authorize the commission to designate a
 1-37 governmental entity to administer the regional public defender's
 1-38 office;

1-39 (2) require the governmental entity designated under
 1-40 Subdivision (1) to establish an oversight board for the regional
 1-41 public defender's office under Article 26.045, Code of Criminal
 1-42 Procedure; and

1-43 (3) require the regional public defender's office to
 1-44 comply with any rules adopted by the commission for the
 1-45 administration of the public defender's office.

1-46 SECTION 2. This Act takes effect immediately if it receives
 1-47 a vote of two-thirds of all the members elected to each house, as
 1-48 provided by Section 39, Article III, Texas Constitution. If this
 1-49 Act does not receive the vote necessary for immediate effect, this
 1-50 Act takes effect September 1, 2017.

1-51 * * * * *