

BILL ANALYSIS

H.B. 356
By: Lang
County Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised that the authority of certain county attorneys and county commissioners courts to accept gifts and grants to finance or assist the operation of the office of county attorney may lead to conflicts of interest between prosecutors and defendants, such as possible quid pro quo relationships in which prosecutors agree to dismiss cases against defendants in exchange for donations. H.B. 356 seeks to avoid such conflicts of interest in Brown County by repealing a statute authorizing the county attorney of Brown County and the Commissioners Court of Brown County to accept gifts and grants for such purposes.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 356 repeals Section 45.125, Government Code, which authorizes the county attorney or the Commissioners Court of Brown County to accept gifts or grants for the purpose of financing or assisting the operation of the office of county attorney in Brown County.

EFFECTIVE DATE

September 1, 2019.