86R1888 AJZ-D

By:  Hinojosa S.B. No. 245

A BILL TO BE ENTITLED

AN ACT

relating to the authority of the office of capital and forensic writs to refuse to accept certain referrals for good cause.

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

SECTION 1.  Section 78.054(a), Government Code, is amended to read as follows:

(a)  The office may not accept an appointment under Article 11.071, Code of Criminal Procedure, or a referral under Section 4(h), Article 38.01, Code of Criminal Procedure, if:

(1)  a conflict of interest exists;

(2)  the office has insufficient resources to provide adequate representation for the defendant;

(3)  the office is incapable of providing representation for the defendant in accordance with the rules of professional conduct; or

(4)  other good cause is shown for not accepting the appointment.

SECTION 2.  This Act takes effect September 1, 2019.