

By: Leman

H.B. No. 1412

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the application of the professional prosecutors law to
3 and the duties of the county attorney in Burleson County and to the
4 duties of the district attorney for the 21st Judicial District and
5 the 335th Judicial District.

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

7 SECTION 1. Section 43.108, Government Code, is amended to
8 read as follows:

9 Sec. 43.108. 21ST JUDICIAL DISTRICT. (a) The voters of
10 Washington County [~~and Burleson counties~~] elect a district attorney
11 for the 21st Judicial District who represents the state in that
12 district court only in that county [~~those counties~~].

13 (b) The district attorney also represents the state and
14 performs the duties of district attorney before the 335th District
15 Court in Washington County [~~and Burleson counties~~].

16 SECTION 2. Subchapter B, Chapter 45, Government Code, is
17 amended by adding Section 45.126 to read as follows:

18 Sec. 45.126. BURLESON COUNTY. (a) In Burleson County, the
19 county attorney of Burleson County shall perform the duties imposed
20 on and have the powers conferred on district attorneys by general
21 law and is entitled to be compensated by the state in the manner and
22 amount set by general law relating to the salary paid to district
23 attorneys by the state.

24 (b) The county attorney of Burleson County or the

1 Commissioners Court of Burleson County may accept gifts or grants
2 from any individual, partnership, corporation, trust, foundation,
3 association, or governmental entity for the purpose of financing or
4 assisting the operation of the office of county attorney in
5 Burleson County. The county attorney shall account for and report
6 to the commissioners court all gifts or grants accepted under this
7 subsection.

8 SECTION 3. Section 46.002, Government Code, is amended to
9 read as follows:

10 Sec. 46.002. PROSECUTORS SUBJECT TO CHAPTER. This chapter
11 applies to the state prosecuting attorney, all county prosecutors,
12 and the following state prosecutors:

13 (1) the district attorneys for Kenedy and Kleberg
14 Counties and for the 1st, 2nd, 8th, 9th, 18th, 21st, 23rd, 26th,
15 27th, 29th, 31st, 32nd, 33rd, 34th, 35th, 36th, 38th, 39th, 42nd,
16 43rd, 46th, 47th, 49th, 50th, 51st, 52nd, 53rd, 63rd, 64th, 66th,
17 69th, 70th, 76th, 79th, 81st, 83rd, 84th, 85th, 88th, 90th, 97th,
18 100th, 105th, 106th, 109th, 110th, 112th, 118th, 119th, 123rd,
19 132nd, 142nd, 143rd, 145th, 156th, 159th, 173rd, 196th, 198th,
20 216th, 220th, 229th, 235th, 253rd, 258th, 259th, 266th, 268th,
21 271st, 286th, 287th, 329th, 344th, 349th, 355th, 369th, 452nd, and
22 506th judicial districts;

23 (2) the criminal district attorneys for the counties
24 of Anderson, Austin, Bastrop, Bexar, Bowie, Brazoria, Caldwell,
25 Calhoun, Cass, Collin, Comal, Dallas, Deaf Smith, Denton, Eastland,
26 Fannin, Galveston, Grayson, Gregg, Harrison, Hays, Hidalgo,
27 Jasper, Jefferson, Kaufman, Kendall, Lubbock, McLennan, Madison,

1 Navarro, Newton, Panola, Polk, Randall, Rockwall, San Jacinto,
2 Smith, Tarrant, Taylor, Tyler, Upshur, Van Zandt, Victoria, Walker,
3 Waller, Wichita, Wood, and Yoakum; and

4 (3) the county attorneys performing the duties of
5 district attorneys in the counties of Andrews, Aransas, Burleson,
6 Callahan, Cameron, Castro, Colorado, Crosby, Ellis, Falls,
7 Freestone, Gonzales, Guadalupe, Lamar, Lamb, Lampasas, Lavaca,
8 Lee, Limestone, Marion, Milam, Morris, Ochiltree, Oldham, Orange,
9 Rains, Red River, Robertson, Rusk, Swisher, Terry, Webb, and
10 Willacy.

11 SECTION 4. This Act takes effect September 1, 2019.