

By: Hinojosa

S.B. No. 245

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the authority of the office of capital and forensic
3 writs to refuse to accept certain referrals for good cause.

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

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

7 (a) The office may not accept an appointment under Article
8 11.071, Code of Criminal Procedure, or a referral under Section
9 4(h), Article 38.01, Code of Criminal Procedure, if:

- 10 (1) a conflict of interest exists;
- 11 (2) the office has insufficient resources to provide
12 adequate representation for the defendant;
- 13 (3) the office is incapable of providing
14 representation for the defendant in accordance with the rules of
15 professional conduct; or
- 16 (4) other good cause is shown for not accepting the
17 appointment.

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