

BILL ANALYSIS

H.B. 4422
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law limits to district and county attorneys the authority to seek an attorney general opinion on issues in which the State of Texas is an interested party. It has been noted that this authority does not apply to an employee of a county who serves as the head of the county's civil legal department, which hinders the ability of these counties to seek legal guidance from the attorney general. H.B. 4422 seeks to ensure that all counties whose governmental bodies have created a civil legal department are afforded equal access to necessary legal guidance by authorizing a county employee who serves as head of such a department to request the attorney general's advice in the prosecution or defense of certain actions.

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. 4422 amends the Government Code to authorize a county employee who serves as the head of the county's civil legal department to request the attorney general's advice in the prosecution or defense of an action in which the State of Texas is interested before a district or inferior court. The attorney general must provide the requested advice if the requesting attorney has investigated the question involved and submitted a brief to the attorney general.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.