

By: Zaffirini

S.B. No. 1339

A BILL TO BE ENTITLED

AN ACT

relating to the authority to request attorney general advice on questions relating to actions in which the state is interested.

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

SECTION 1. Section 402.043, Government Code, is amended to read as follows:

Sec. 402.043. QUESTIONS RELATING TO ACTIONS IN WHICH THE STATE IS INTERESTED. The attorney general shall advise an [~~a district or county~~] attorney [~~of this state~~], on the attorney's request, in the prosecution or defense of an action in which the state is interested before a district or inferior court if:

(1) the requesting attorney has investigated the question involved and submitted a brief to the attorney general; and

(2) the requesting attorney is:

(A) a district or county attorney; or

(B) a county employee who:

(i) serves as the head of the civil legal department of a county located on the international border that has a population of less than 400,000 and contains one or more municipalities with a population of 200,000 or more; and

(ii) has received approval for the submission of the request from the commissioners court of the county.

1 SECTION 2. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2021.