

By: Lucio

S.B. No. 2088

A BILL TO BE ENTITLED

AN ACT

relating to the indemnification of certain county officials or employees for attorney's fees.

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

SECTION 1. Subchapter Z, Chapter 157, Local Government Code, is amended by adding Section 157.907 to read as follows:

Sec. 157.907. COUNTY LIABILITY FOR CRIMINAL PROSECUTION.

(a) The commissioner's court of a county shall indemnify a person for reasonable attorney's fees incurred in defense of a criminal prosecution against the person if:

(1) the person is:

(A) an elected official of the county;

(B) an appointed official of the county; or

(C) an employee of an elected or appointed official of the county;

(2) the commissioner's court determines that the conduct for which the person is criminally prosecuted was an act or omission by the person in the course and scope of the person's office, employment, or contractual performance for or service on behalf of the county; and

(3) the person is found not guilty after a trial or appeal, or the complaint, information, or indictment is dismissed without a plea of guilty or nolo contendere being entered.

SECTION 2. This Act takes effect September 1, 2021.