88R3456 EAS-F

By:  Spiller H.B. No. 1130

A BILL TO BE ENTITLED

AN ACT

relating to a district or county attorney participating as counsel in certain proceedings.

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

SECTION 1.  Article 2.08(a), Code of Criminal Procedure, is amended to read as follows:

(a)  District and county attorneys shall not be of counsel adversely to the State in any criminal case, in any court, nor shall they, after they cease to be such officers, be of counsel adversely to the State in any case in which they have been of counsel for the State.

SECTION 2.  The change in law made by this Act applies only to the prosecution of an offense committed on or after the effective date of this Act. The prosecution of an offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 3.  This Act takes effect September 1, 2023.