

By: Spiller, et al.

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 case, in any court, except as an
attorney ad litem appointed under Chapter 262, Family Code, nor
shall they, after they cease to be district or county attorneys
~~[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.