

By: Kolkhorst

S.B. No. 950

A BILL TO BE ENTITLED

AN ACT

relating to the attorney general's defense of a district or county attorney against certain lawsuits in federal court.

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

SECTION 1. The heading to Section 402.024, Government Code, is amended to read as follows:

Sec. 402.024. DEFENSE OF DISTRICT ATTORNEY,        COUNTY ATTORNEY, OR GRAND JUROR.

SECTION 2. Section 402.024, Government Code, is amended by adding Subsection (c) to read as follows:

(c) The attorney general may defend a state district attorney or a county attorney in an action in a federal court if:

(1) the district or county attorney is a defendant because of the district or county attorney's office;

(2) the cause of action relates to the enforcement of a state statute; and

(3) the district or county attorney requests the attorney general's assistance in the defense.

SECTION 3. Section 402.024, Government Code, as amended by this Act, applies only to a court action filed in federal court on or after the effective date of this Act. A court action filed before the effective date of this Act is governed by the law in effect on the date the action was filed, and the former law is continued in effect for that purpose.

1 SECTION 4. This Act takes effect September 1, 2023.