

By: Curry, Cook

H.B. No. 2715

A BILL TO BE ENTITLED

AN ACT

relating to the removal from office of certain officers of political subdivisions.

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

SECTION 1. Section 87.015(c), Local Government Code, is amended to read as follows:

(c) A petition for removal of an officer under this subchapter ~~[other than a prosecuting attorney must be addressed to the district judge of the court in which it is filed. A petition for removal of a prosecuting attorney]~~ must be addressed to the presiding judge of the administrative judicial region in which the petition is filed. The petition must set forth the grounds alleged for the removal of the officer in plain and intelligible language and must cite the time and place of the occurrence of each act alleged as a ground for removal with as much certainty as the nature of the case permits.

SECTION 2. Section 87.0151, Local Government Code, is amended to read as follows:

Sec. 87.0151. ASSIGNMENT OF JUDGE ~~[IN CERTAIN CASES]~~. (a) Immediately after a petition for removal of an officer under this subchapter ~~[a prosecuting attorney]~~ is filed under Section 87.015, the district clerk shall deliver a copy of the petition to the presiding judge of the administrative judicial region in which the court sits.

1 (b) On receiving a petition for removal [~~of a prosecuting~~
2 ~~attorney~~] under Subsection (a), the presiding judge of the
3 administrative judicial region shall assign a district court judge
4 of a judicial district that does not include the county in which the
5 petition was filed to conduct the removal proceedings.

6 SECTION 3. Section 87.018(f), Local Government Code, is
7 amended to read as follows:

8 (f) In a proceeding to remove an officer under this
9 subchapter [~~a prosecuting attorney from office~~], the presiding
10 judge of the administrative judicial region in which the petition
11 for removal was filed shall appoint a prosecuting attorney from
12 another judicial district or county, as applicable, in the
13 administrative judicial region to represent the state.

14 SECTION 4. Sections 87.018(d) and (e), Local Government
15 Code, are repealed.

16 SECTION 5. The changes in law made by this Act apply only to
17 the removal of an officer under Subchapter B, Chapter 87, Local
18 Government Code, for which the petition for removal is filed under
19 that subchapter on or after the effective date of this Act. The
20 removal of an officer for which the petition for removal is filed
21 before the effective date of this Act is governed by the law in
22 effect on the date the petition is filed, and the former law is
23 continued in effect for that purpose.

24 SECTION 6. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

H.B. No. 2715

1 Act takes effect September 1, 2025.