

By: Bumgarner

H.B. No. 4260

A BILL TO BE ENTITLED

AN ACT

relating to a prohibition on the practice of law in certain courts  
by a county commissioner or a county judge.

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

SECTION 1. Section 82.064, Government Code, is amended by  
amending Subsections (b) and (c) and adding Subsection (d) to read  
as follows:

(b) A county judge ~~[or county clerk]~~ who is licensed to  
practice law may not appear and practice as an attorney at law in:

(1) any court in the county where the county judge  
serves; or

(2) any other county or justice court except in cases  
over which the court in which the judge ~~[or clerk]~~ serves has  
neither original nor appellate jurisdiction.

(c) A county clerk who is licensed to practice law may not  
appear and practice as an attorney at law in the supreme court, the  
court of criminal appeals, a court of appeals, ~~[or]~~ a district  
court, or any county or justice court unless the court in which the  
clerk serves has neither original nor appellate jurisdiction.

(d) A county commissioner who is licensed to practice law  
may not appear and practice as an attorney at law in any court of  
appeals, district court, county court, or justice court with  
jurisdiction in the county the county commissioner serves.

SECTION 2. Sections 171.010(c) and (d), Local Government

1 Code, are repealed.

2       SECTION 3. The changes in law made by this Act apply only to  
3 an action or proceeding filed on or after the effective date of this  
4 Act. An action or proceeding filed before the effective date of  
5 this Act is governed by the law in effect on the date the action or  
6 proceeding was filed, and the former law is continued in effect for  
7 that purpose.

8       SECTION 4. This Act takes effect September 1, 2025.