

BILL ANALYSIS

Senate Research Center

H.B. 2246
By: Homer (Cain)
Jurisprudence
5/6/1999
Engrossed

DIGEST

Chapter 43 of the Government Code regulates the duties of the district attorney of the 8th Judicial District of Texas, and Chapter 45B of the Government Code regulates county attorneys in the state of Texas. This bill would provide that the district attorney of the 8th Judicial District is elected by voters in Delta, Franklin, and Hopkins counties and limits the duties of the district attorney to matters involving those counties. This bill would also require the county attorney of Rains County to take up the duties of the district attorney for all matters involving Rains County. Furthermore, this bill would provide for increased funding from the state for payment of staff salaries of the county attorney's office and would require Rains County to continue funding the office of the county attorney at least at an equal amount as of the effective date of this bill.

PURPOSE

As proposed, H.B. 2246 provides that the district attorney of the 8th Judicial District is elected by voters in Delta, Franklin, and Hopkins counties and limits the duties of the district attorney to matters involving those counties. This bill also requires the county attorney of Rains County to take up the duties of the district attorney for all matters involving Rains County. Furthermore, this bill provides for increased funding from the state for payment of staff salaries of the county attorney's office and requires Rains County to continue funding the office of the county attorney at least at an equal amount as of the effective date of this bill.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 43.104, Government Code, to provide that the district attorney of the 8th Judicial District is elected by voters in Delta, Franklin, and Hopkins counties and limits the duties of the district attorney to matters involving those counties.

SECTION 2. Amends Chapter 45B, Government Code, by adding Section 45.290, as follows:

Sec. 45.290. RAINS COUNTY. (a) Requires the county attorney for Rains County to perform the duties imposed on and have the powers conferred on district attorneys by general law, only in Rains County.

(b) Entitles Rains County to receive an amount from the state equal to 30 percent of the salary paid to a district attorney by the state for the purpose of supplementing the salary of the county attorney. Entitles Rains County to receive from the state an amount equal to the amount provided in the General Appropriations Act to district attorneys for the payment of staff salaries and office expenses.

(c) Requires the commissioners court of Rains County to continue to provide funds for the office of the county attorney in an amount that is equal to or greater than the amount of funds provided for the office by the county on the effective date of this Act.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.