

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 401  
By: Zaffirini  
Jurisprudence  
4-21-97  
Committee Report (Substituted)

### **DIGEST**

Currently, Texas law requires the district attorney of the 156th Judicial District to represent Bee, Live Oak, and McMullen counties in district court. McMullen County currently does not have a county attorney because there is not enough work to justify hiring one full-time. This bill will authorize the district attorney to perform the duties of the county attorney for McMullen County if there is no county attorney for that county.

### **PURPOSE**

As proposed, C.S.S.B. 401 authorizes the district attorney to perform the duties of the county attorney if there is no county attorney in McMullen County.

### **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 43.161, Government Code, to authorize the district attorney to perform the duties of the county attorney in McMullen County, if there is no county attorney in McMullen County. Makes a conforming change.

SECTION 2. Emergency clause.  
Effective date: upon passage.

### **SUMMARY OF COMMITTEE CHANGES**

Provides that if there is no county attorney in McMullen County, the district attorney is authorized, rather than required, to perform the duties of the county attorney.