

AN ACT

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relating to the application of the professional prosecutors law to the district attorney for the 109th Judicial District.

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

SECTION 1. Section 46.002, Government Code, is amended to read as follows:

Sec. 46.002. PROSECUTORS SUBJECT TO CHAPTER. This chapter applies to all county prosecutors and to the following state prosecutors:

(1) the district attorneys for the 1st, 2nd, 8th, 9th, 12th, 18th, 21st, 23rd, 25th, 26th, 27th, 29th, 31st, 32nd, 33rd, 34th, 35th, 36th, 38th, 42nd, 43rd, 47th, 49th, 50th, 51st, 52nd, 53rd, 63rd, 64th, 66th, 69th, 70th, 76th, 81st, 83rd, 84th, 85th, 88th, 90th, 97th, 100th, 105th, 106th, 109th, 110th, 112th, 118th, 119th, 123rd, 142nd, 145th, 156th, 159th, 173rd, 196th, 198th, 216th, 220th, 229th, 235th, 253rd, 258th, 259th, 266th, 268th, 271st, 278th, 286th, 329th, 349th, and 355th judicial districts;

(2) the criminal district attorneys for the counties of Anderson, Austin, Bastrop, Bexar, Bowie, Brazoria, Caldwell, Calhoun, Cass, Collin, Comal, Dallas, Deaf Smith, Denton, Eastland, Galveston, Grayson, Gregg, Harrison, Hays, Hidalgo, Jasper, Jefferson, Kaufman, Lubbock, McLennan, Madison, Navarro, Newton, Panola, Polk, Randall, Rockwall, San Jacinto, Smith, Tarrant, Taylor, Tyler, Upshur, Van Zandt, Victoria, Walker, Waller,

1 Wichita, Wood, and Yoakum; and

2 (3) the county attorneys performing the duties of
3 district attorneys in the counties of Andrews, Callahan, Cameron,
4 Castro, Colorado, Crosby, Ellis, Falls, Fannin, Freestone, Lamar,
5 Lamb, Lampasas, Lee, Limestone, Marion, Milam, Morris, Ochiltree,
6 Orange, Rains, Red River, Robertson, Rusk, Terry, Webb, and
7 Willacy.

8 SECTION 2. Effective January 1, 2009, Section 46.002,
9 Government Code, is amended to read as follows:

10 Sec. 46.002. PROSECUTORS SUBJECT TO CHAPTER. This chapter
11 applies to all county prosecutors and to the following state
12 prosecutors:

13 (1) the district attorneys for the 1st, 2nd, 8th, 9th,
14 12th, 18th, 21st, 23rd, 25th, 26th, 27th, 29th, 31st, 32nd, 33rd,
15 34th, 35th, 36th, 38th, 42nd, 43rd, 47th, 49th, 50th, 51st, 52nd,
16 53rd, 63rd, 64th, 66th, 69th, 70th, 76th, 81st, 83rd, 84th, 85th,
17 88th, 90th, 97th, 100th, 105th, 106th, 109th, 110th, 112th, 118th,
18 119th, 123rd, 142nd, 145th, 156th, 159th, 173rd, 196th, 198th,
19 216th, 220th, 229th, 235th, 253rd, 258th, 259th, 266th, 268th,
20 271st, 278th, 286th, 329th, 344th, 349th, and 355th judicial
21 districts;

22 (2) the criminal district attorneys for the counties
23 of Anderson, Austin, Bastrop, Bexar, Bowie, Brazoria, Caldwell,
24 Calhoun, Cass, Collin, Comal, Dallas, Deaf Smith, Denton, Eastland,
25 Galveston, Grayson, Gregg, Harrison, Hays, Hidalgo, Jasper,
26 Jefferson, Kaufman, Lubbock, McLennan, Madison, Navarro, Newton,
27 Panola, Polk, Randall, Rockwall, San Jacinto, Smith, Tarrant,

1 Taylor, Tyler, Upshur, Van Zandt, Victoria, Walker, Waller,
2 Wichita, Wood, and Yoakum; and

3 (3) the county attorneys performing the duties of
4 district attorneys in the counties of Andrews, Callahan, Cameron,
5 Castro, Colorado, Crosby, Ellis, Falls, Fannin, Freestone, Lamar,
6 Lamb, Lampasas, Lee, Limestone, Marion, Milam, Morris, Ochiltree,
7 Orange, Rains, Red River, Robertson, Rusk, Terry, Webb, and
8 Willacy.

9 SECTION 3. Section 43.150, Government Code, is amended to
10 read as follows:

11 Sec. 43.150. 109TH JUDICIAL DISTRICT. [~~a~~] The voters of
12 Crane and Winkler counties elect a district attorney for the 109th
13 Judicial District who represents the state in that district court
14 only in those counties.

15 [~~(b) The commissioners courts of the counties comprising~~
16 ~~the district may supplement the state salary of the district~~
17 ~~attorney in an amount not to exceed \$2,000 a year. Each~~
18 ~~commissioners court shall pay a proportionate share of the~~
19 ~~supplemental salary according to the population of the county.]~~

20 SECTION 4. This Act takes effect September 1, 2007.

David Newkum

President of the Senate

Tom Craddick

Speaker of the House

I certify that H.B. No. 2288 was passed by the House on April 5, 2007, by the following vote: Yeas 137, Nays 0, 2 present, not voting.

Robert Hamey
Chief Clerk of the House

I certify that H.B. No. 2288 was passed by the Senate on May 15, 2007, by the following vote: Yeas 31, Nays 0.

Patsy Gow
Secretary of the Senate

APPROVED: 15 JUN 07

Date

RICK PERRY
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

3 PM O'CLOCK

JUN 15 2007

Roger Williams
Secretary of State