

AN ACT

relating to the powers and duties of the district attorney and county attorney in Fort Bend County.

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

SECTION 1. Section 43.181, Government Code, is amended by amending Subsection (c) and adding Subsection (f-1) to read as follows:

(c) The district attorney has the powers, duties, and privileges in Fort Bend County relating to family law and juvenile matters, except as provided by Subsection (f-1) [~~including children's protective services~~], protective orders under Title 4 [~~Chapter 71~~], Family Code, orders under Chapter 159, Family Code, and proceedings under Title 3, Family Code.

(f-1) The district attorney has no power, duty, or privilege in Fort Bend County relating to a matter involving children's protective services.

SECTION 2. Section 45.179, Government Code, is amended by adding Subsection (c-1) and amending Subsection (d) to read as follows:

(c-1) The county attorney has the powers, duties, and privileges in Fort Bend County relating to matters involving children's protective services.

(d) The county attorney has no power, duty, or privilege in Fort Bend County relating to family law and juvenile matters,

1 except as provided by Subsection (c-1) [~~including children's~~
2 ~~protective services~~], protective orders under Title 4 [~~Chapter 71~~],
3 Family Code, orders under Chapter 159, Family Code, and proceedings
4 under Title 3, Family Code.

5 SECTION 3. The changes in law made by this Act to Sections
6 43.181 and 45.179, Government Code, apply only to a proceeding
7 commenced on or after the effective date of this Act. A proceeding
8 commenced before the effective date of this Act is governed by the
9 law in effect on the date the proceeding was commenced, and the
10 former law is continued in effect for that purpose.

11 SECTION 4. This Act takes effect September 1, 2005.

David Swihurst

President of the Senate

Jim Cusick

Speaker of the House

I certify that H.B. No. 3263 was passed by the House on April 29, 2005, by a non-record vote.

Robert Haney

Chief Clerk of the House

I certify that H.B. No. 3263 was passed by the Senate on May 24, 2005, by the following vote: Yeas 31, Nays 0.

Datsy Spaw

Secretary of the Senate

APPROVED:

17 JUNE '05

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
11:20 A.M. O'CLOCK

Roger Williams
JUN 17 2005
Secretary of State