

1 AN ACT

2 relating to the duties of the county attorney in Montgomery County.

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

4 SECTION 1. Subchapter B, Chapter 45, Government Code, is
5 amended by adding Section 45.270 to read as follows:

6 Sec. 45.270. MONTGOMERY COUNTY. (a) The county attorney
7 of Montgomery County, or the county attorney's assistants, shall
8 represent the state, Montgomery County, and the officials of the
9 county in all civil matters pending before a court of Montgomery
10 County or any other court.

11 (b) The county attorney has the powers, duties, and
12 privileges in Montgomery County relating to:

13 (1) civil commitment matters under Subtitle C, Title
14 7, Health and Safety Code;

15 (2) juvenile matters, including proceedings under
16 Title 3, Family Code;

17 (3) child protective services; and

18 (4) protective orders under Title 4, Family Code.

19 (c) Notwithstanding Subsection (a), the commissioners court
20 in Montgomery County may retain independent counsel in any civil
21 matter.

22 SECTION 2. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this

1 Act does not receive the vote necessary for immediate effect, this
2 Act takes effect September 1, 2005.

David Swanson
President of the Senate

Tom Cudde
Speaker of the House

I hereby certify that S.B. No. 792 passed the Senate on
March 31, 2005, by the following vote: Yeas 30, Nays 0.

Lateef Spaw
Secretary of the Senate

I hereby certify that S.B. No. 792 passed the House on
May 20, 2005, by the following vote: Yeas 139, Nays 0, two
present not voting.

Robert Haney
Chief Clerk of the House

Approved:

17 JUNE '05
Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2:10 P.M. O'CLOCK,
JUN 17 2005
Roger Williams
Secretary of State