

BILL ANALYSIS

Senate Research Center
76R11481 JMC-F

H.B. 3779
By: Luna, Vilma (Truan)
Jurisprudence
5/6/1999
Engrossed

DIGEST

In Nueces County, members of the commissioners court, the county attorney, and the district attorney explored options relating to the consolidation of all criminal prosecutorial functions into one office. The change would alter the functions of the office of the district attorney of the 105th Judicial District and all district, county, and justice courts within Nueces County. H.B. 3779 would regulate the powers and duties of the district attorney for the 105th Judicial District.

PURPOSE

As proposed, H.B. 3779 regulates the powers and duties of the district attorney for the 105th Judicial District.

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 43.148, Government Code, to provide that the district attorney has the same powers and duties as other district attorneys and serves all the district, county, and justice courts of Nueces County and the district courts of Kleberg and Kenedy counties. Requires the district attorney to attend each term and session of the district, county, and justice courts of Nueces County and the district courts of Kleberg and Kenedy counties and to represent the state in criminal cases pending in those courts. Provides that the district attorney has control of any case heard on petition of writ of habeas corpus before any district or inferior court in the district. Makes conforming changes.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.