

BILL ANALYSIS

Senate Research Center
79R6496 QS-F

S.B. 792
By: Staples
Intergovernmental Relations
3/13/2005
As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, job responsibilities of the district and county attorneys in Montgomery County are not clearly defined in statute. As proposed, S.B. 792 statutorily defines the duties and responsibilities of the county attorney in Montgomery County.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 45, Government Code, by adding Section 45.270, as follows:

Sec. 45.270. MONTGOMERY COUNTY. (a) Requires the county attorney of Montgomery County, or the county attorney's assistants, to represent the state, Montgomery County, and the officials of the county in all civil matters pending before a court of Montgomery County or any other court.

(b) Provides that the county attorney has powers, duties, and privileges in Montgomery County relating to certain matters.

(c) Authorizes the commissioners court in Montgomery County, notwithstanding Subsection (a), to retain independent counsel in any civil matter.

SECTION 2. Effective date: upon passage or September 1, 2005.