

1-1 By: Geren (Senate Sponsor - Hancock) H.B. No. 2038  
 1-2 (In the Senate - Received from the House April 27, 2015;  
 1-3 May 5, 2015, read first time and referred to Committee on  
 1-4 Intergovernmental Relations; May 13, 2015, reported favorably by  
 1-5 the following vote: Yeas 6, Nays 0; May 13, 2015, sent to  
 1-6 printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15	X			

1-16 A BILL TO BE ENTITLED  
 1-17 AN ACT

1-18 relating to legal representation for certain emergency services  
 1-19 districts.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
 1-21 SECTION 1. Subchapter C, Chapter 775, Health and Safety  
 1-22 Code, is amended by adding Section 775.0315 to read as follows:

1-23 Sec. 775.0315. LEGAL REPRESENTATION. (a) This section  
 1-24 applies only to a district located wholly in a county with a  
 1-25 population of 1.8 million or more in which two or more cities with a  
 1-26 population of 350,000 or more are located.

1-27 (b) A district may employ or contract with private legal  
 1-28 counsel to represent the district on any legal matter. If the  
 1-29 district does not employ or contract with private legal counsel on a  
 1-30 legal matter, the county attorney, district attorney, or criminal  
 1-31 district attorney, as appropriate, with the duty to represent the  
 1-32 county in civil matters shall represent the district.

1-33 (c) A district that receives legal services from a county  
 1-34 attorney, district attorney, or criminal district attorney may  
 1-35 employ additional private legal counsel on the board's  
 1-36 determination that additional counsel is advisable. A district  
 1-37 that contracts or employs private legal counsel under Subsection  
 1-38 (b) may request and receive additional legal services from the  
 1-39 county attorney, district attorney, or criminal district attorney,  
 1-40 as appropriate, with the duty to represent the county in civil  
 1-41 matters on the board's determination that additional counsel is  
 1-42 necessary.

1-43 (d) If the district receives legal services from a county  
 1-44 attorney, district attorney, or criminal district attorney, the  
 1-45 district shall contribute money to be credited to the county's  
 1-46 general fund account for the county attorney, district attorney, or  
 1-47 criminal district attorney, as appropriate, in amounts sufficient  
 1-48 to pay all additional salaries and expenses incurred by that  
 1-49 officer in performing the duties required by the district.

1-50 SECTION 2. This Act takes effect immediately if it receives  
 1-51 a vote of two-thirds of all the members elected to each house, as  
 1-52 provided by Section 39, Article III, Texas Constitution. If this  
 1-53 Act does not receive the vote necessary for immediate effect, this  
 1-54 Act takes effect September 1, 2015.

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