

1-1 By: Bettencourt S.B. No. 1433
1-2 (In the Senate - Filed February 19, 2025; March 6, 2025, read
1-3 first time and referred to Committee on State Affairs;
1-4 March 24, 2025, reported favorably by the following vote: Yeas 9,
1-5 Nays 0; March 24, 2025, sent to printer.)

1-6 COMMITTEE VOTE

| 1-7 | 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 | | | X | |
| 1-17 | X | | | |
| 1-18 | | | X | |

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to the assertion of legislative privilege by the attorney
1-22 general in certain legal challenges to the constitutionality of
1-23 state statutes.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 402.010, Government Code, is amended by
1-26 adding Subsections (e), (f), and (g) to read as follows:

1-27 (e) The attorney general may assert legislative privilege
1-28 on behalf of the state or a state agency or official during
1-29 discovery, hearing, or trial in an action described by this section
1-30 unless asserting the privilege would create a conflict in the
1-31 attorney general's representation of the state or a state agency or
1-32 official.

1-33 (f) The attorney general has 30 days from the date
1-34 legislative privilege is asserted under Subsection (e) to provide
1-35 evidence of representation of the state or a state agency or
1-36 official who may properly assert the privilege. The provision of
1-37 evidence of that representation on or before that date establishes
1-38 the attorney general's authority to assert legislative privilege
1-39 under Subsection (e).

1-40 (g) The attorney general's authority under Subsection (e)
1-41 is not exclusive and does not affect another person's ability to
1-42 assert legislative privilege in any matter.

1-43 SECTION 2. This Act takes effect September 1, 2025.

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