

## **BILL ANALYSIS**

S.B. 1339  
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Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Current law limits to district and county attorneys the authority to seek an attorney general opinion on issues in which the State of Texas is an interested party. It has been noted that this authority does not apply to an employee of a county who serves as the head of the county's civil legal department, which hinders the ability of these counties to seek legal guidance from the attorney general. S.B. 1339 seeks to ensure that certain counties whose governmental bodies have created a civil legal department are afforded equal access to necessary legal guidance by authorizing a county employee who serves as head of such a department to request the attorney general's advice in the prosecution or defense of certain actions.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 1339 amends the Government Code to authorize a county employee who serves as the head of the civil legal department of a county located on the international border that has a population of less than 400,000 and contains one or more municipalities with a population of 200,000 or more and who has received approval for the submission of the request from the county commissioners court to request the attorney general's advice in the prosecution or defense of an action in which the State of Texas is interested before a district or inferior court. The attorney general must provide the requested advice if the requesting attorney has investigated the question involved and submitted a brief to the attorney general.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.