
DIGEST

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HB 243 Original

2026 Regular Session

Wilder

Abstract: Provides relative to the appointment of a substitute for a recused district attorney.

Present law provides that when a district attorney is recused, or recuses himself, the trial judge shall appoint an attorney who has the qualifications of a district attorney and is not an assistant to the recused district attorney, to act in the place of the district attorney in the case, or shall notify the attorney general in writing of the recusation for the attorney general to appoint a member of his staff or a district attorney from another district to act in the place of the recused district attorney.

Proposed law deletes present law that requires the trial judge to appoint an attorney who has the qualifications of a district attorney and is not an assistant to the recused district attorney.

Proposed law retains present law that requires the trial judge to notify the attorney general in writing and the requirement for the attorney general to appoint a member of his staff or a district attorney from another district to act in the place of the recused district attorney.

(Amends C.Cr.P. Art. 682)