



# HOUSE BILL 478: Modify Appointment Process for DA Vacancies.

2025-2026 General Assembly

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| <b>Committee:</b>     | House Judiciary 2. If favorable, re-refer to Election Law. If favorable, re-refer to State and Local Government. If favorable, re-refer to Rules, Calendar, and Operations of the House | <b>Date:</b>        | April 1, 2025                     |
| <b>Introduced by:</b> | Reps. Balkcom, Stevens, K. Hall, Biggs  | <b>Prepared by:</b> | Hannah Kendrick<br>Staff Attorney |
| <b>Analysis of:</b>   | First Edition   |                     |                                   |

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**OVERVIEW:** *House Bill 478 would modify the appointment process to fill district attorney vacancies.*

## CURRENT LAW AND BILL ANALYSIS:

House Bill 478 would require the Governor to fill vacancies in the office of district attorney by choosing from a list of up to three qualified persons of the political party in which the vacating district attorney was affiliated, recommended by the district executive committee of the political party in which the vacancy occurs. Currently, the Governor may appoint any person to fill a vacancy in the office of the district attorney.

If the vacating district attorney is not affiliated with a political party, the qualified persons would be recommended by a majority of the members of the General Assembly representing any portion of the prosecutorial district of the vacating district attorney.

The Governor would appoint a qualified person to fill the vacancy if recommendations are not made within 30 days of the occurrence of the vacancy.

If a vacancy in the district attorney office occurred prior to the date that this act becomes effective and is vacant on the date this act becomes effective, the entity that would make recommendations as provided in this act would have 30 days from the date this act becomes effective to make recommendations to the Governor.

**EFFECTIVE DATE:** This act would become effective when it becomes law and would apply to appointments made on or after that date.

Kara McCraw  
Director



Legislative Analysis  
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