

By: Armbrister

S.B. No. 322

A BILL TO BE ENTITLED

AN ACT

relating to persons who may administer oaths in Texas.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 602.002, Government Code, as amended by Chapters 514 and 986, Acts of the 77th Legislature, Regular Session, 2001, is reenacted and amended to read as follows:

Sec. 602.002. OATH MADE IN TEXAS. An oath made in this state may be administered and a certificate of the fact given by:

(1) a judge or a clerk of a municipal court, in a matter pertaining to a duty of the court, or a retired judge of a municipal court;

(2) a judge, retired judge, senior judge, clerk, or commissioner of a court of record;

(3) a justice of the peace or a clerk of a justice court;

(4) a notary public;

(5) a member of a board or commission created by a law of this state, in a matter pertaining to a duty of the board or commission;

(6) a person employed by the Texas Ethics Commission who has a duty related to a report required by Title 15, Election Code, in a matter pertaining to that duty;

(7) a county tax assessor-collector or an employee of the county tax assessor-collector if the oath relates to a document

1 that is required or authorized to be filed in the office of the
2 county tax assessor-collector;

3 (8) the secretary of state;

4 (9) an employee of a personal bond office if the oath
5 is required or authorized by Article 17.04, Code of Criminal
6 Procedure;

7 (10) the lieutenant governor;

8 (11) the speaker of the house of representatives;

9 (12) the governor;

10 (13) a legislator or retired legislator;

11 (14) the attorney general;

12 (15) the secretary or clerk of a municipality in a
13 matter pertaining to the official business of the municipality; or

14 (16) [~~(15)~~] a peace officer described by Article 2.12,
15 Code of Criminal Procedure, if:

16 (A) the oath is administered when the officer is
17 engaged in the performance of the officer's duties; and

18 (B) the administration of the oath relates to the
19 officer's duties.

20 SECTION 2. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2003.