

1-1 By: Armbrister S.B. No. 322
1-2 (In the Senate - Filed January 29, 2003; February 6, 2003,
1-3 read first time and referred to Committee on State Affairs;
1-4 February 27, 2003, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 0;
1-6 February 27, 2003, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 322 By: Armbrister

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to persons who may administer oaths in Texas.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 602.002, Government Code, as amended by
1-13 Chapters 514 and 986, Acts of the 77th Legislature, Regular
1-14 Session, 2001, is reenacted and amended to read as follows:

1-15 Sec. 602.002. OATH MADE IN TEXAS. An oath made in this
1-16 state may be administered and a certificate of the fact given by:

1-17 (1) a judge, retired judge, or [~~a~~] clerk of a municipal
1-18 court, in a matter pertaining to a duty of the court;

1-19 (2) a judge, retired judge, senior judge, clerk, or
1-20 commissioner of a court of record;

1-21 (3) a justice of the peace or a clerk of a justice
1-22 court;

1-23 (4) a notary public;

1-24 (5) a member of a board or commission created by a law
1-25 of this state, in a matter pertaining to a duty of the board or
1-26 commission;

1-27 (6) a person employed by the Texas Ethics Commission
1-28 who has a duty related to a report required by Title 15, Election
1-29 Code, in a matter pertaining to that duty;

1-30 (7) a county tax assessor-collector or an employee of
1-31 the county tax assessor-collector if the oath relates to a document
1-32 that is required or authorized to be filed in the office of the
1-33 county tax assessor-collector;

1-34 (8) the secretary of state;

1-35 (9) an employee of a personal bond office if the oath
1-36 is required or authorized by Article 17.04, Code of Criminal
1-37 Procedure;

1-38 (10) the lieutenant governor;

1-39 (11) the speaker of the house of representatives;

1-40 (12) the governor;

1-41 (13) a legislator or retired legislator;

1-42 (14) the attorney general;

1-43 (15) the secretary or clerk of a municipality in a
1-44 matter pertaining to the official business of the municipality; or

1-45 (16) [~~(15)~~] a peace officer described by Article 2.12,
1-46 Code of Criminal Procedure, if:

1-47 (A) the oath is administered when the officer is
1-48 engaged in the performance of the officer's duties; and

1-49 (B) the administration of the oath relates to the
1-50 officer's duties.

1-51 SECTION 2. This Act takes effect immediately if it receives
1-52 a vote of two-thirds of all the members elected to each house, as
1-53 provided by Section 39, Article III, Texas Constitution. If this
1-54 Act does not receive the vote necessary for immediate effect, this
1-55 Act takes effect September 1, 2003.

1-56 * * * * *