

BILL ANALYSIS

C.S.H.B. 1139
By: McReynolds
Land & Resource Management
Committee Report (Substituted)

BACKGROUND AND PURPOSE

H.B. 2376, enacted by the 78th Legislature (2003) modified requirements that various state agencies purchase surety bonds for officers and employees. The enacted bill included a repeal of Section 31.017(b) of the Natural Resources Code that required the General Land Office to secure a surety bond of \$25,000 for its receiver. The 78th Legislature also passed H.B. 2044, which reorganized and updated Chapter 31 of the Natural Resources Code, but inadvertently omitted a repeal of Section 31.017(b) to conform with H.B. 2376. Section 31.017(b) was not repealed as intended by the passage of H.B. 2376 because H.B. 2044 passed following final passage of H.B. 2376.

The purpose of this bill is to repeal Section 31.017 (b), Natural Resources Code, the surety bond requirement of the General Land Office, as intended by H.B. 2376.

RULEMAKING AUTHORITY

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

ANALYSIS

SECTION 1. Repeals Sections 31.017(b) and 31.013, Natural Resources Code.

Section 31.017(b), Natural Resources Code, requires the receiver for the General Land Office to post a bond in the amount of \$25,00.

Section 31.013, Natural Resources Code, describes the process by which the \$25,000 bond is obtained.

SECTION 2. Effective Date.

EFFECTIVE DATE

Effective date is September 1, 2005 or immediately if approved by two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The original bill repeals only Section 31.017(b), Natural Resources Code, while the substitute repeals both Sections 31.017(b) and 31.013, Natural Resource Code, which requires any bond required by law to be executed by employees of the land office to be executed and approved in the manner provided for the commissioner.