1-1 By: Hartnett (Senate Sponsor - Watson)   H.B. No. 2967
1-2   (In the Senate - Received from the House April 16, 2007;
1-3 April 17, 2007, read first time and referred to Committee on
1-4 Jurisprudence; May 4, 2007, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 4, Nays 0;
1-6 May 4, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 2967   By: Hinojosa

1-8   A BILL TO BE ENTITLED
1-9   AN ACT
1-10 relating to a performance bond required of a statutory probate
1-11 court judge.
1-12   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-13   SECTION 1.   Subchapter B, Chapter 25, Government Code, is
1-14 amended by adding Section 25.00231 to read as follows:
1-15   Sec. 25.00231. BOND; INSURANCE. (a) This section controls
1-16 over a specific provision for a particular court or county that
1-17 attempts to create a requirement for a bond or insurance that
1-18 conflicts with this section.
1-19   (b)   Before beginning the duties of office, a judge of a
1-20 statutory probate court must execute a bond that is:
1-21   (1)   payable to the county treasurer or other person
1-22 performing the duties of county treasurer;
1-23   (2)   in the amount of $500,000;
1-24   (3)   conditioned on the faithful performance of the
1-25 duties of the office; and
1-26   (4)   approved by the commissioners court.
1-27   (c)   In lieu of the bond required by Subsection (b), a county
1-28 may elect to obtain insurance in the amount required by Subsection
1-29 (b) against losses caused by the statutory probate court judge's
1-30 gross negligence in performing the duties of office.
1-31   (d)   The commissioners court of a county shall pay the
1-32 premium for the bond or insurance required by this section out of
1-33 the general funds of the county.
1-34   SECTION 2.   Sections 25.0173(e) and 25.1034(f), Government
1-35 Code, are repealed.
1-36   SECTION 3.   A judge of a statutory probate court who is
1-37 serving on the effective date of this Act shall comply with the
1-38 requirements of Section 25.00231, Government Code, as added by this
1-39 Act, not later than November 1, 2007.
1-40   SECTION 4.   This Act takes effect October 1, 2007.

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