

By: Harris

S.B. No. 397

A BILL TO BE ENTITLED

AN ACT

relating to the administration of an oath in this state.

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

SECTION 1. Section 602.002, Government Code, is 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, retired judge, or clerk of a municipal court~~[, in a matter pertaining to a duty of the 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 that is required or authorized to be filed in the office of the county tax assessor-collector;

1 (8) the secretary of state;

2 (9) an employee of a personal bond office if the oath
3 is required or authorized by Article 17.04 or by Article 26.04(n) or
4 (o), Code of Criminal Procedure;

5 (10) the lieutenant governor;

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

7 (12) the governor;

8 (13) a legislator or retired legislator;

9 (14) the attorney general;

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

12 (16) a peace officer described by Article 2.12, Code
13 of Criminal Procedure, if:

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

16 (B) the administration of the oath relates to the
17 officer's duties.

18 SECTION 2. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2007.