

1-1 By: Harris S.B. No. 397
1-2 (In the Senate - Filed January 31, 2007; February 21, 2007,
1-3 read first time and referred to Committee on Jurisprudence;
1-4 April 12, 2007, reported favorably by the following vote: Yeas 6,
1-5 Nays 0; April 12, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the administration of an oath in this state.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Section 602.002, Government Code, is amended to
1-11 read as follows:

1-12 Sec. 602.002. OATH MADE IN TEXAS. An oath made in this
1-13 state may be administered and a certificate of the fact given by:

1-14 (1) a judge, retired judge, or clerk of a municipal
1-15 court [~~, in a matter pertaining to a duty of the court~~];

1-16 (2) a judge, retired judge, senior judge, clerk, or
1-17 commissioner of a court of record;

1-18 (3) a justice of the peace or a clerk of a justice
1-19 court;

1-20 (4) a notary public;

1-21 (5) a member of a board or commission created by a law
1-22 of this state, in a matter pertaining to a duty of the board or
1-23 commission;

1-24 (6) a person employed by the Texas Ethics Commission
1-25 who has a duty related to a report required by Title 15, Election
1-26 Code, in a matter pertaining to that duty;

1-27 (7) a county tax assessor-collector or an employee of
1-28 the county tax assessor-collector if the oath relates to a document
1-29 that is required or authorized to be filed in the office of the
1-30 county tax assessor-collector;

1-31 (8) the secretary of state;

1-32 (9) an employee of a personal bond office if the oath
1-33 is required or authorized by Article 17.04 or by Article 26.04(n) or
1-34 (o), Code of Criminal Procedure;

1-35 (10) the lieutenant governor;

1-36 (11) the speaker of the house of representatives;

1-37 (12) the governor;

1-38 (13) a legislator or retired legislator;

1-39 (14) the attorney general;

1-40 (15) the secretary or clerk of a municipality in a
1-41 matter pertaining to the official business of the municipality; or

1-42 (16) a peace officer described by Article 2.12, Code
1-43 of Criminal Procedure, if:

1-44 (A) the oath is administered when the officer is
1-45 engaged in the performance of the officer's duties; and

1-46 (B) the administration of the oath relates to the
1-47 officer's duties.

1-48 SECTION 2. This Act takes effect immediately if it receives
1-49 a vote of two-thirds of all the members elected to each house, as
1-50 provided by Section 39, Article III, Texas Constitution. If this
1-51 Act does not receive the vote necessary for immediate effect, this
1-52 Act takes effect September 1, 2007.

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