

AN ACT

relating to persons authorized to administer 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;

(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 or a former secretary of
2 state;

3 (9) an employee of a personal bond office, or an
4 employee of a county, who is employed to obtain information
5 required to be obtained under oath if the oath is required or
6 authorized by Article 17.04 or by Article 26.04(n) or (o), Code of
7 Criminal Procedure;

8 (10) the lieutenant governor or a former lieutenant
9 governor;

10 (11) the speaker of the house of representatives or a
11 former speaker of the house of representatives;

12 (12) the governor or a former governor;

13 (13) a legislator or retired legislator;

14 (14) the attorney general or a former attorney
15 general;

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

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

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

22 (B) the administration of the oath relates to the
23 officer's duties.

24 SECTION 2. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

H.B. No. 1285

1 Act takes effect September 1, 2009.

President of the Senate

Speaker of the House

I certify that H.B. No. 1285 was passed by the House on May 5, 2009, by the following vote: Yeas 144, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1285 on May 29, 2009, by the following vote: Yeas 142, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1285 was passed by the Senate, with amendments, on May 25, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor