

By: Eiland

H.B. No. 1285

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to persons authorized to administer an oath in this state.

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

4 SECTION 1. Section 602.002, Government Code, is amended to  
5 read as follows:

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

8 (1) a judge, retired judge, or clerk of a municipal  
9 court;

10 (2) a judge, retired judge, senior judge, clerk, or  
11 commissioner of a court of record;

12 (3) a justice of the peace or a clerk of a justice  
13 court;

14 (4) a notary public;

15 (5) a member of a board or commission created by a law  
16 of this state, in a matter pertaining to a duty of the board or  
17 commission;

18 (6) a person employed by the Texas Ethics Commission  
19 who has a duty related to a report required by Title 15, Election  
20 Code, in a matter pertaining to that duty;

21 (7) a county tax assessor-collector or an employee of  
22 the county tax assessor-collector if the oath relates to a document  
23 that is required or authorized to be filed in the office of the  
24 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 if the oath  
4 is required or authorized by Article 17.04 or by Article 26.04(n) or  
5 (o), Code of Criminal Procedure;

6           (10) the lieutenant governor or a former lieutenant  
7 governor;

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

10           (12) the governor or a former governor;

11           (13) a legislator or retired legislator;

12           (14) the attorney general or a former attorney  
13 general;

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

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

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

20                   (B) the administration of the oath relates to the  
21 officer's duties.

22           SECTION 2. This Act takes effect immediately if it receives  
23 a vote of two-thirds of all the members elected to each house, as  
24 provided by Section 39, Article III, Texas Constitution. If this  
25 Act does not receive the vote necessary for immediate effect, this  
26 Act takes effect September 1, 2009.