

SENATE AMENDMENTS

2nd Printing

By: Eiland, et al.

H.B. No. 1285

A BILL TO BE ENTITLED

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 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.

COMMITTEE

ADOPTED

FLOOR AMENDMENT NO. 1

MAY 25 2009

BY: *Thomas*

Atty. Gen.
Secretary of the Senate

1 Amend H.B. 1285, page 2, line 3, amending subsection (9) to
2 include the following language as follows:
3 (9) an employee of a personal bond office, or an employee
4 of a county, who is employed to obtain information required to
5 be obtained under oath if the oath is required or authorized by
6 Article 17.04 or by Article 26.04 (n) or (o), Criminal Procedure
7 Code;

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**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 28, 2009

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB1285 by Eiland (Relating to persons authorized to administer an oath in this state.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

The bill would amend the Government Code to allow certain individuals to administer an oath in Texas. The bill would take effect immediately if it receives a vote of two-thirds of all members elected to each house. If the bill does not receive the votes required to pass, the bill would take effect September 1, 2009.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, SZ, MN, TP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 22, 2009

TO: Honorable Jeff Wentworth, Chair, Senate Committee on Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB1285 by Eiland (relating to persons authorized to administer an oath in this state.),
Committee Report 2nd House, As Amended

No fiscal implication to the State is anticipated.

The bill would amend the Government Code to allow certain individuals to administer an oath in Texas. The bill would take effect immediately if it receives a vote of two-thirds of all members elected to each house. If the bill does not receive the votes required to pass, the bill would take effect September 1, 2009.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, MN, TP

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LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 15, 2009

TO: Honorable Jeff Wentworth, Chair, Senate Committee on Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB1285 by Eiland (Relating to persons authorized to administer an oath in this state.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill would amend the Government Code to allow certain former state officials to administer an oath in Texas. The bill would take effect immediately if it receives a vote of two-thirds of all members elected to each house. If the bill does not receive the votes required to pass, the bill would take effect September 1, 2009.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, MN, TP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 16, 2009

TO: Honorable Todd Hunter, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB1285 by Eiland (Relating to persons authorized to administer an oath in this state.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Government Code to allow certain former state officials to administer an oath in Texas. The bill would take effect immediately if it receives a vote of two-thirds of all members elected to each house. If the bill does not receive the votes required to pass, the bill would take effect September 1, 2009.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, MN, TP

