

By: Duncan

S.B. No. 373

A BILL TO BE ENTITLED

AN ACT

relating to the office of county treasurer.

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

SECTION 1. Subsection (b), Article 103.003, Code of Criminal Procedure, is amended to read as follows:

(b) A community supervision and corrections department and a county treasurer may collect money payable under this title with the written approval of the clerk of the court or fee officer, and may collect money payable as otherwise provided by law.

SECTION 2. Subsections (a) and (c), Article 103.004, Code of Criminal Procedure, are amended to read as follows:

(a) Except as provided by Subsection [~~Subsections (b) and~~ (c)], an officer who collects recognizances, bail bonds, fines, forfeitures, judgments, jury fees, and other obligations recovered in the name of the state under any provision of this title shall deposit the money in the county treasury not later than the next regular business day after the date that the money is collected. If it is not possible for the officer to deposit the money in the county treasury by that date, the officer shall deposit the money in the county treasury as soon as possible, but not later than the fifth [~~third~~] regular business day after the date that the money is collected.

(c) The commissioners court of a county with a population of less than 50,000 may authorize an officer who is required to deposit

1 money under Subsection (a) to deposit the money in the county
2 treasury not later than the 15th [~~30th~~] day after the date that the
3 money is collected.

4 SECTION 3. Subsection (a), Section 83.003, Local Government
5 Code, is amended to read as follows:

6 (a) A [~~Within one year after the date on which a~~] person
7 first takes office as [~~county treasurer, the~~] county treasurer must
8 successfully complete an introductory course of instruction in the
9 performance of the duties of county treasurer:

10 (1) within one year after the date on which the person
11 takes office if elected to a full term; or

12 (2) at the earliest available date if appointed by the
13 commissioners court or elected to an unexpired term of county
14 treasurer.

15 SECTION 4. Chapter 83, Local Government Code, is amended by
16 adding Sections 83.008 and 83.009 to read as follows:

17 Sec. 83.008. SURETY BOND ON ASSISTANT TREASURERS, DEPUTIES,
18 AND EMPLOYEES; SELF-INSURANCE. (a) If a county treasurer employs
19 only one assistant or deputy, the county treasurer shall execute a
20 surety bond to cover the assistant or deputy and shall execute a
21 schedule surety bond or a blanket surety bond to cover all other
22 employees of the office. If a county treasurer employs more than
23 one assistant or deputy, the county treasurer shall execute a
24 blanket surety bond to cover the assistants or deputies and all
25 other employees of the office.

26 (b) Instead of a county treasurer obtaining a bond as
27 required by Subsection (a), the county may self-insure against

1 losses that would have been covered by the bond.

2 (c) The bond under this section must be conditioned in the
3 same manner and must be for the same amount as the bond for the
4 county treasurer under Section 83.002. The bond must be made
5 payable to the county judge for the use and benefit of the county
6 treasurer.

7 Sec. 83.009. ASSISTANT TREASURER OR TREASURY DEPUTY.

8 (a) The appointment of an assistant treasurer or treasury deputy
9 must be in writing, be signed by the county treasurer, and bear the
10 seal of the county court.

11 (b) A person appointed as an assistant treasurer or treasury
12 deputy, before beginning to perform the duties of office, must take
13 and subscribe the official oath, which, together with the
14 certificate of the officer administering the oath, must be endorsed
15 on the appointment. The appointment and oath shall be deposited and
16 recorded in the county clerk's office.

17 (c) An assistant treasurer or treasury deputy acts in the
18 name of the county treasurer as directed by the county treasurer and
19 may perform all official acts that the county treasurer may perform
20 at the discretion of the county treasurer.

21 SECTION 5. Sections 111.0707 and 111.07075, Local
22 Government Code, are amended to read as follows:

23 Sec. 111.0707. SPECIAL BUDGET FOR REVENUE FROM
24 INTERGOVERNMENTAL CONTRACTS. (a) The county auditor shall
25 certify to the commissioners court the receipt of all revenue from
26 intergovernmental contracts that is available for disbursement in a
27 fiscal year but not included in the budget for that fiscal year. On

1 certification, the court shall adopt a special budget for the
2 limited purpose of spending the revenue from intergovernmental
3 contracts for its intended purpose.

4 (b) The county treasurer shall notify the county auditor of
5 the receipt of all revenue from intergovernmental contracts not
6 previously included in a special budget or the annual budget for
7 that fiscal year.

8 Sec. 111.07075. SPECIAL BUDGET FOR REVENUE RECEIVED AFTER
9 START OF FISCAL YEAR. (a) The county auditor shall certify to the
10 commissioners court the receipt of revenue from a new source not
11 anticipated before the adoption of the budget and not included in
12 the budget for that fiscal year. On certification, the court may
13 adopt a special budget for the limited purpose of spending the
14 revenue for general purposes or for any of its intended purposes.

15 (b) The county treasurer shall notify the county auditor of
16 the receipt of all revenue from a new source not anticipated before
17 the adoption of the budget and not previously included in a special
18 budget or the annual budget for that fiscal year.

19 SECTION 6. Subchapter A, Chapter 113, Local Government
20 Code, is amended by adding Section 113.0001 to read as follows:

21 Sec. 113.0001. DEFINITIONS. In this chapter:

22 (1) "Depository" means the financial institution
23 selected under Section 116.021 for safekeeping of the county
24 treasury.

25 (2) "Depository account" means an account covered by
26 the depository agreement, including required collateral.

27 (3) "Money" means an item or medium of exchange such as

1 coins, currency, checks, or other means of payment, including
2 electronic payment.

3 (4) "Treasury" means the money belonging to the county
4 held by the county treasurer.

5 SECTION 7. Section 113.008, Local Government Code, is
6 amended to read as follows:

7 Sec. 113.008. RECONCILIATION OF DEPOSITORY ACCOUNTS
8 [~~COUNTY CHECKS AND WARRANTS~~]. (a) The county depository shall
9 provide statements of all bank activity and documentation
10 supporting a statement's transactions not less than once a month
11 [~~all canceled checks and warrants and supporting statements~~] to the
12 county treasurer.

13 (b) The county depository shall provide the information
14 required by Subsection (a) to the official responsible for the
15 account [~~Subsection (a) does not apply~~] if:

16 (1) the checks and orders for payment [~~warrants~~] are
17 payable from funds under the direct authority of an official other
18 than the county treasurer as provided by statute; and

19 (2) the official has not delegated the responsibility
20 for reconciliation under Subsection (b-1).

21 (b-1) The [~~exemption provided by this subsection does not~~
22 ~~apply if the~~] official may request [~~requests~~] the county treasurer
23 to be responsible for the reconciliation of the checks and orders
24 for payment [~~warrants~~] payable from the funds that are under the
25 direct authority of the official. Except as provided by Subsection
26 (g), an official who fails to reconcile the official's special
27 accounts monthly shall transfer responsibility for account

1 reconciliation to the county treasurer. Unless the official and
2 county treasurer set another period in writing for the duration of a
3 transfer under this section, the transfer is effective for the
4 duration of the term of office for the designating officer.

5 (c) In fulfilling the requirements of Subsections
6 ~~[Subsection]~~ (a) and (b), the county depository shall provide, at
7 the direction of the county treasurer and in accordance with the
8 rules adopted by the Texas State Library and Archives Commission,
9 originals, optical images, or electronic images of:

10 (1) ~~[original]~~ canceled checks and orders for payment
11 ~~[warrants]; [or]~~

12 (2) deposit detail;

13 (3) debit and credit memoranda; or

14 (4) electronic transmission detail ~~[optical images of~~
15 ~~the front and back of canceled checks and warrants if the optical~~
16 ~~images are retained in accordance with the rules adopted by the~~
17 ~~Texas State Library and Archives Commission]~~.

18 (d) The county treasurer shall:

19 (1) reconcile all balances and transactions for each
20 treasury account in the county depository's statement of activity
21 to the transactions and balances shown on the treasurer's records
22 ~~[the canceled checks and warrants with the account records of the~~
23 ~~depository]; and~~

24 (2) ensure all financial adjustments are made
25 regarding the depository account as required.

26 (e) In this section, a reference to the county treasurer
27 includes a person performing the duties of the county treasurer.

1 (f) Except as provided by Subsection (g), an official with
2 special funds in the depository bank shall:

3 (1) reconcile all balances and transactions in the
4 statement of activity to the transactions and balances shown on the
5 official's records; and

6 (2) each month, ensure all financial adjustments
7 resulting from the reconciliation are reported to the county
8 auditor for entry in the general set of records and reflected in the
9 cash receipts and disbursement registers of the county treasurer.

10 (g) Subsections (b-1) and (f)(2) do not apply to a special
11 fund administered by an attorney representing the state under
12 Chapter 18, 47, or 59, Code of Criminal Procedure.

13 SECTION 8. Sections 113.021 and 113.022, Local Government
14 Code, are amended to read as follows:

15 Sec. 113.021. REQUIREMENT THAT MONEY BE DEPOSITED WITH
16 COUNTY TREASURER [~~AND PUT INTO SPECIAL FUND~~]; INTEREST. (a) The
17 fees, commissions, funds, and other money belonging to a county
18 shall be deposited with the county treasurer by the person
19 [~~officer~~] who collects the money. The person [~~officer~~] must
20 deposit the money in accordance with any applicable procedures
21 prescribed by or under Section 112.001 or 112.002. However, the
22 county tax assessor-collector must deposit the money in accordance
23 with the procedures prescribed by or under the Tax Code and other
24 laws.

25 (b) The county treasurer shall deposit the money in the
26 county depository in the proper [~~a special~~] fund to the credit of
27 the person or department collecting [~~officer who collected~~] the

1 money. [~~If the money is fees, commissions, or other compensation~~
2 ~~collected by an officer who is paid on a salary basis, the~~
3 ~~appropriate special fund is the applicable salary fund created~~
4 ~~under Chapter 154.~~]

5 (c) The interest accruing on the money in the [~~special~~] fund
6 is for the benefit of the county in accordance with other law.

7 Sec. 113.022. TIME FOR MAKING DEPOSITS. (a) A county
8 officer or other person who receives money [~~funds~~] shall deposit
9 the money [~~funds~~] with the county treasurer on or before the next
10 regular business day after the date on which the money is [~~funds~~
11 ~~are~~] received. If this deadline cannot be [~~is not~~] met, the officer
12 or person must deposit the money [~~funds~~], without exception, on or
13 before the fifth [~~seventh~~] business day after the day on which the
14 money is [~~funds are~~] received. However, in a county with fewer than
15 50,000 inhabitants, the commissioners court may extend the period
16 during which funds must be deposited with the county treasurer, but
17 the period may not exceed 15 [~~30~~] days after the date the funds are
18 received.

19 (b) A county treasurer shall deposit the money [~~funds~~]
20 received under Subsection (a) in the county depository in
21 accordance with Section 116.113(a). In all cases, the treasurer
22 shall deposit the money [~~funds~~] on or before the seventh business
23 day after the date the treasurer receives the money [~~funds~~].

24 SECTION 9. The heading to Section 113.041, Local Government
25 Code, is amended to read as follows:

26 Sec. 113.041. DISBURSEMENT OF MONEY BY COUNTY TREASURER;
27 PAYMENT BY CHECK OR ELECTRONIC TRANSMISSION [~~OR WARRANT~~]; LOST OR

1 DESTROYED INSTRUMENT.

2 SECTION 10. Section 113.041, Local Government Code, is
3 amended by amending Subsections (b) through (e), (g), and (h) and
4 adding Subsection (d-1) to read as follows:

5 (b) Except as provided by Chapter 156, a person may not
6 spend or withdraw money from the county treasury except by a check
7 or order for payment [~~warrant~~] drawn on the county treasury,
8 whether or not the money is in a county depository as required by
9 law.

10 (c) The county treasurer may not disburse [~~pay~~] money out of
11 the county treasury without an order for payment [~~a certificate or~~
12 ~~warrant~~] from an officer who is authorized by law to issue the order
13 [~~certificate or warrant~~].

14 (d) If the county treasurer doubts the legality or propriety
15 of an order[~~, decree, certificate, or warrant~~] presented to the
16 treasurer for payment, the treasurer may not make the payment. The
17 treasurer shall report the matter to the commissioners court for
18 the court's consideration and direction. The treasurer may require
19 that the claim supporting the order be made available and verified
20 by an affidavit after the claim is approved for payment by the
21 commissioners court.

22 (d-1) In a county without a county auditor, the county
23 treasurer may not make a payment if the treasurer has reason to
24 believe that the check or order for payment is not valid as a proper
25 and budgeted item of expenditure. The treasurer shall report the
26 matter to the commissioners court for consideration and direction.

27 (e) If the county treasurer is satisfied that an original

1 check or other order drawn on the county treasury by a proper
2 authority is lost or destroyed, the treasurer may issue a duplicate
3 instrument in place of the original. The treasurer may not issue a
4 duplicate until an applicant has filed an affidavit with the
5 treasurer that states that the applicant is the true owner of the
6 original instrument and that, to the best knowledge and belief of
7 the applicant, the original is lost or destroyed.

8 (g) If, after issuance of the duplicate instrument, the
9 county treasurer determines that the duplicate was issued
10 improperly or that the applicant or person to whom the duplicate was
11 issued is not the owner of the original instrument, the treasurer
12 shall immediately stop payment or demand [~~the return of the~~
13 ~~duplicate, if it is unpaid, or~~] the return of the amount paid by the
14 county, if the duplicate is paid. If the person fails to return the
15 [~~duplicate instrument or the~~] amount of the instrument, the
16 treasurer shall institute a suit for recovery [~~on the bond~~] through
17 the office of the county or district attorney. Venue for the suit
18 lies in the county in which the treasurer serves.

19 (h) A county treasurer may not honor a check or order for
20 payment [~~warrant~~] on the interest and sinking fund provided for a
21 bond of the county or pay out or divert money in that fund except to
22 pay the principal of or interest on the bond or invest money in
23 securities as provided by law.

24 SECTION 11. The heading to Section 113.042, Local
25 Government Code, is amended to read as follows:

26 Sec. 113.042. ENDORSEMENT BY COUNTY TREASURER; OTHER
27 [~~WARRANT~~] REQUIREMENTS FOR ORDER FOR PAYMENT.

1 SECTION 12. Subsections (a), (b), (e), (f), and (g),
2 Section 113.042, Local Government Code, are amended to read as
3 follows:

4 (a) On the presentation of an order for payment [~~a warrant~~],
5 check, or voucher [~~, or order~~] drawn by a proper authority, and if
6 there are sufficient funds for payment on deposit in the account
7 against which the instrument is drawn, the county treasurer shall
8 endorse on the face of the instrument the order to pay the named
9 payee and shall charge the amount in the treasurer's records to the
10 fund on which it is drawn.

11 (b) The county treasurer may not issue and the county
12 depository may not pay a check drawn on the county depository to
13 take up an order for payment [~~a warrant~~] drawn by a proper
14 authority, but the county treasurer shall, on the presentation of
15 the order [~~warrant~~], endorse the order [~~warrant~~] and deliver it to
16 the payee, who may present it to the county depository for payment.

17 (e) Each check or order for payment [~~warrant~~] issued or
18 drawn by an officer under the provisions of this section is subject
19 to all laws and rules relating to auditing and countersigning.

20 (f) Each order for payment [~~warrant~~] or scrip issued against
21 the county treasurer by a judge or court must be signed and attested
22 by the clerk or judge of the court under that officer's official
23 seal.

24 (g) A justice of the peace may not issue an order for payment
25 [~~warrants~~] against the county treasury for any purpose except as
26 may be provided by the Code of Criminal Procedure.

27 SECTION 13. Section 113.043, Local Government Code, is

1 amended to read as follows:

2 Sec. 113.043. COUNTERSIGNATURE BY COUNTY AUDITOR. In a
3 county with a county auditor, the county treasurer and the county
4 depository may not pay a check or order for payment [~~warrant~~] unless
5 it is countersigned by the county auditor to validate it as a proper
6 and budgeted item of expenditure. This section does not apply to a
7 check or order [~~warrant~~] for jury service or for restitution
8 collected on behalf of an individual as authorized by law.

9 SECTION 14. Section 113.046, Local Government Code, is
10 amended to read as follows:

11 Sec. 113.046. REGISTER OF ORDERS FOR PAYMENT [~~WARRANTS~~]
12 ISSUED BY JUDGE OR CLERK. (a) The county auditor shall maintain a
13 register of the orders for payment [~~warrants~~] issued on the county
14 treasurer by a judge or by the district or county clerk. A register
15 entry for an order [~~a warrant~~] must indicate the date of payment by
16 the treasurer.

17 (b) On a form prepared by the auditor, the clerk or judge
18 shall furnish the auditor with a daily itemized report that
19 specifies the orders for payment [~~warrants~~] issued, the number of
20 orders [~~warrants~~], the amounts of the orders [~~warrants~~], the names
21 of the persons to whom the orders [~~warrants~~] are payable, and the
22 purposes of the orders [~~warrants~~].

23 SECTION 15. Subsection (c), Section 113.048, Local
24 Government Code, is amended to read as follows:

25 (c) A system or method of payment authorized by this section
26 may be used in lieu of or in addition to the issuance of [~~warrants~~
27 ~~or~~] checks or orders for payment authorized under this subchapter.

1 SECTION 16. The heading to Section 113.061, Local
2 Government Code, is amended to read as follows:

3 Sec. 113.061. CLAIMS REGISTER[~~, CLASSES OF CLAIMS~~].

4 SECTION 17. Section 113.063, Local Government Code, is
5 amended to read as follows:

6 Sec. 113.063. CLAIMS INFORMATION LIST; INDEBTEDNESS TO THE
7 COUNTY. (a) Each officer who collects a fine, penalty,
8 forfeiture, judgment, tax, [~~or~~] other indebtedness, or payment
9 obligation owed to the county [~~in a claim against the county~~] shall
10 keep a descriptive list of those claims. When the officer reports
11 the collection, the officer shall file with the report a list that
12 states:

- 13 (1) the party in whose favor the claim was issued;
- 14 (2) the receipt number issued in documentation of
15 payment [~~class and register number of the claim~~];
- 16 (3) the name of the party paying in the claim;
- 17 (4) the amount received; and
- 18 (5) the purpose for which the amount was received.

19 (b) The officer shall give the claims and the report to the
20 county treasurer, who shall give the officer a receipt. The
21 treasurer shall determine the time and manner of making [~~file the~~
22 ~~list with~~] the [~~treasurer's~~] report [~~in the office of the county~~
23 ~~clerk~~].

24 SECTION 18. Section 114.022, Local Government Code, is
25 amended by adding Subsection (c) to read as follows:

26 (c) A county publishing monthly financial reports under
27 Section 114.023 that publishes its comprehensive annual financial

1 report on its Internet website is not required to publish an exhibit
2 under this section.

3 SECTION 19. Subsection (b), Section 114.023, Local
4 Government Code, is amended to read as follows:

5 (b) In addition to information considered necessary by the
6 auditor or required by the commissioners court, the report must
7 contain:

8 (1) all of the facts of interest related to the
9 financial condition of the county;

10 (2) a consolidated balance sheet;

11 (3) a complete statement of the balances on hand at the
12 beginning and end of the month;

13 (4) a statement of the aggregate receipts and
14 disbursements of each fund;

15 (5) a statement of transfers to and from each fund;

16 (6) a statement of the bond and order for payment
17 [~~warrant~~] indebtedness with corresponding rates of interest; and

18 (7) a summarized budget statement that shows:

19 (A) the expenses paid from the budget for each
20 budgeted officer, department, or institution during that month and
21 for the period of the fiscal year inclusive of the month for which
22 the report is made;

23 (B) the encumbrances against the budgets; and

24 (C) the amounts available for further
25 expenditures.

26 SECTION 20. Subsection (c), Section 115.002, Local
27 Government Code, is amended to read as follows:

1 (c) The auditor shall carefully examine the report made
2 under Section 114.026 by the county treasurer, together with the
3 canceled orders for payment [~~warrants~~] that have been paid. The
4 auditor shall verify those orders [~~warrants~~] with the register of
5 orders [~~warrants~~] issued as shown on the auditor's books.

6 SECTION 21. Subsection (b), Section 116.002, Local
7 Government Code, is amended to read as follows:

8 (b) Orders for payment [~~warrants~~], checks, and vouchers
9 evidencing the money deposited in the county depository under
10 Subsection (a) are subject to audit and countersignature as
11 provided by law.

12 SECTION 22. Section 116.115, Local Government Code, is
13 amended to read as follows:

14 Sec. 116.115. CLEARINGHOUSE FOR MULTIPLE DEPOSITORIES. If
15 the funds of a county are deposited with more than one depository,
16 the commissioners court shall by order name one of the depositories
17 to act as a clearinghouse for the others. All county orders for
18 payment [~~warrants~~] are finally payable at the depository named as
19 the clearinghouse.

20 SECTION 23. Subsections (a) and (c), Section 116.116, Local
21 Government Code, are amended to read as follows:

22 (a) A county depository shall pay a check or order for
23 payment [~~warrant~~] drawn by the county treasurer against funds
24 deposited with the depository on presentation of the check or order
25 [~~warrant~~] if the funds subject to the check or order [~~warrant~~] are
26 in the possession of the depository, and, in the case of a time
27 deposit, if the agreed period of notice has expired.

1 (c) An order for payment [~~A warrant~~] or check, including an
2 order [~~a warrant~~] or check issued prior to September 1, 1993, issued
3 by the county treasurer in settlement of a claim against a county
4 that is not presented for payment before the 366th day following the
5 date of issuance is overdue and nonnegotiable. The sum of the
6 overdue order [~~warrant~~] or check shall be credited as revenue to the
7 county if delivery to the payees was attempted or occurred within a
8 reasonable time following the issuance of the order [~~warrant~~] or
9 check. No right to full settlement of a proper unpaid claim is
10 extinguished by this subsection.

11 SECTION 24. The heading to Section 116.120, Local
12 Government Code, is amended to read as follows:

13 Sec. 116.120. COLLECTION OF CERTAIN OVERDUE COUNTY ORDERS
14 FOR PAYMENT [~~WARRANTS~~] OR CHECKS.

15 SECTION 25. Subsections (a) and (b), Section 116.120, Local
16 Government Code, are amended to read as follows:

17 (a) This section applies only to an order for payment [~~a~~
18 ~~warrant~~] or check issued by a county treasurer in settlement of a
19 claim against a county that has not been presented for payment.

20 (b) A person attempting to recover funds from the county for
21 a check or order for payment [~~warrant~~] issued by the county
22 treasurer may not charge the person to whom the check or order
23 [~~warrant~~] was issued and on whose behalf the attempted recovery is
24 made, or that person's successors or assigns, a fee in an amount
25 equal to more than 10 percent of the face value of the check or order
26 [~~warrant~~].

27 SECTION 26. Section 116.155, Local Government Code, is

1 amended to read as follows:

2 Sec. 116.155. FAILURE OF DEPOSITORY TO PAY CHECK OR ORDER
3 FOR PAYMENT [~~WARRANT~~]. A depository that does not pay a check or
4 order for payment [~~warrant~~] as required by Section 116.116(a) is
5 liable for and shall pay to the holder 10 percent of the amount of
6 the check or order for payment [~~warrant~~], and the commissioners
7 court shall revoke the order creating the depository.

8 SECTION 27. Subsection (c), Section 118.023, Local
9 Government Code, is amended to read as follows:

10 (c) In this section, "ex officio services" includes
11 services in relation to roads, bridges, and ferries; issuing and
12 taking receipts for jury scrip or county orders for payment
13 [~~warrants~~]; services in habeas corpus cases; making out bar
14 dockets; keeping records of trust funds; filing and docketing all
15 papers for the commissioners court; keeping road overseers' books
16 and lists of hands; recording all collection returns of delinquent
17 insolvents; recording county treasurer's reports; recording
18 reports of justices of the peace; recording reports of animals
19 slaughtered; and services in connection with elections.

20 SECTION 28. Subsection (c), Section 130.902, Local
21 Government Code, is amended to read as follows:

22 (c) A change fund may not be used to make loans or advances
23 or to cash checks or orders for payment [~~warrants~~] of any kind.

24 SECTION 29. Subsection (b), Section 130.905, Local
25 Government Code, is amended to read as follows:

26 (b) In making payments to support the paupers that the
27 county is required to support, the commissioners court, with the

1 concurrence of the county auditor, may make one payment to the head
2 of the county welfare department. The head of the county welfare
3 department may disburse the money to the paupers on orders for
4 payment [~~warrants~~] designed by the county auditor. The orders
5 [~~warrants~~] are subject to audit by the county auditor at any time.
6 The disbursements must be reported on forms and at times prescribed
7 by the auditor.

8 SECTION 30. Subsection (c), Section 130.909, Local
9 Government Code, is amended to read as follows:

10 (c) The petty cash fund may not be used to make loans or
11 advances or to cash checks or orders for payment [~~warrants~~] of any
12 kind.

13 SECTION 31. (a) Subsection (b), Article 103.004, Code of
14 Criminal Procedure, is repealed.

15 (b) The following sections of the Local Government Code are
16 repealed:

17 (1) Subsections (c), (d), (e), and (f), Section
18 113.061;

19 (2) Section 113.062; and

20 (3) Section 113.066.

21 SECTION 32. (a) A county treasurer required to execute a
22 surety bond under Section 83.008, Local Government Code, as added
23 by this Act, shall execute a surety bond not later than October 1,
24 2011.

25 (b) The change in law made by Section 83.009, Local
26 Government Code, as added by this Act, applies to an assistant
27 treasurer or treasury deputy appointed on or after the effective

1 date of this Act. An assistant treasurer or treasury deputy
2 appointed before the effective date of this Act is covered by the
3 law in effect when the assistant treasurer or treasury deputy was
4 appointed.

5 SECTION 33. This Act takes effect September 1, 2011.