

BILL ANALYSIS

Senate Research Center

S.B. 251
By: West
Jurisprudence
7/19/2013
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In 2011, the Civil Practice and Remedies Code was amended to allow the use of an unsworn declaration in lieu of a written sworn declaration, verification, certification, oath, or affidavit. The code dictated the format for the unsworn declaration, which required the declarant to list his or her date of birth and home address. This bill provides an alternate format of the unsworn declaration for employees of state agencies or political subdivisions that requires the employee to state the governmental agency the declarant is employed by and that the declaration is made pursuant to the declarant's assigned duties or responsibilities for that agency.

S.B. 251 amends current law relating to an unsworn declaration made by an employee of a state agency or political subdivision in the performance of the employee's job duties.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 132.001, Civil Practice and Remedies Code, by amending Subsection (d) and adding Subsection (f), as follows:

(d) Requires an unsworn declaration made under this section, except as provided by Subsections (e) (relating to requiring that an unsworn declaration made include a jurat in certain language) and (f), rather than Subsection (e), include a jurat in substantially a certain form. Sets forth the language to be included in the jurat.

(f) Requires that an unsworn declaration made under this section by an employee of a state agency or a political subdivision in the performance of the employee's job duties include a certain jurat. Sets forth the language to be included in the jurat.

SECTION 2. Makes application of Section 132.001(f), Civil Practice and Remedies Code, as added by this Act, prospective.

SECTION 3. Effective date: September 1, 2013.