

BILL ANALYSIS

Senate Research Center
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S.B. 435
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Intergovernmental Relations
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, an oath made in this state may be administered and a certificate of the fact given by a number of statutorily authorized individuals including, but not limited to, certain judges, notaries, elected officials, and city, county, and state agency officials.

County treasurers, lacking the necessary statutory authority to swear in their own deputies, have had to rely on external authorities to administer needed oaths. At times this has caused unnecessary and avoidable delays.

In order to assist county treasurers in carrying out their duties seamlessly without any delay, S.B. 435 proposes adding county treasurers to the list of statutorily authorized individuals who may administer an oath.

S.B. 435 also states that the county treasurer must successfully complete an introductory instruction course within one year after the person is first elected (versus current law stating one year after the date they take office) or at the earliest available date after appointment or election, applicable.

As proposed, S.B. 435 amends current law relating to the powers and duties of a county treasurer.

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 602.002, Government Code, as follows:

Sec. 602.002. OATH MADE IN TEXAS. Authorizes an oath made in this state to be administered and a certificate of the fact given by a county treasurer. Makes nonsubstantive changes.

SECTION 2. Amends Section 83.003(a), Local Government Code, as follows:

(a) Requires a county treasurer, rather than a person first takes office as county treasurer, to successfully complete an introductory course of instruction in the performance of the duties of county treasurer:

(1) within one year after the date on which the person is first elected, rather than takes office, if elected to a full term; or

(2) at the earliest available date after appointment or election, as applicable, if appointed by the commissioners court or elected to an unexpired term of county treasurer.

SECTION 3. Amends Subchapter A, Chapter 113, Local Government Code, by adding Section 113.0031, as follows:

Sec. 113.0031. ELECTRONIC FUNDS. Requires the county treasurer to determine the manner in which electronic payments may be made.

SECTION 4. Effective date: September 1, 2015.