

BILL ANALYSIS

S.B. 354
By: Lucio
County Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been noted that a recent attorney general opinion held that certain counties lack the necessary statutory authorization to adopt procedures for preapproval of payroll and office expenses. It has further been noted that this opinion disrupted the customary procedure for payments in those counties and has led to an inefficient use of public resources. S.B. 354 seeks to ameliorate the disruption being suffered by those counties with regard to their payroll and office expense practices.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 354 amends the Local Government Code to authorize a district, county, or precinct officer in a county with a population of 190,000 or less to issue a warrant against the salary fund to pay authorized expenses of the office or the salary of an employee whose salary may be paid from the fund. The bill prohibits a payment from being made from the salary fund to an employee for a service performed before the person has taken the constitutional oath of office, if applicable, and the person's authorized appointment and oath, if any, have been filed for record with the county clerk and the county auditor, if the county has a county auditor.

S.B. 354 removes language that limits to an officer in a county with a population of 190,000 or more the authorization for an officer to draw checks on the county treasurer to disburse funds deposited in the county depository as payment for a salary or expenses authorized by law or in payment to the county or to the person to whom the funds belong.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.