

By: Guillen

H.B. No. 1494

Substitute the following for H.B. No. 1494:

By: J. Johnson of Dallas

C.S.H.B. No. 1494

A BILL TO BE ENTITLED

AN ACT

relating to surety bonds for deputy clerks and other employees of county and district clerks.

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

SECTION 1. The heading to Section 51.309, Government Code, is amended to read as follows:

Sec. 51.309. DEPUTY CLERKS AND OTHER EMPLOYEES [~~CLERK~~].

SECTION 2. Section 51.309, Government Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) Except as provided by Subsection (c), the district clerk shall obtain one or more [~~a~~] surety bonds in accordance with this section [~~bond~~] to cover each [~~a~~] deputy clerk or other employee. The district clerk shall obtain:

(1) an individual bond for each deputy clerk and other employee in an amount for each bond that is equal to the district clerk's bond; or

(2) a schedule surety bond or a blanket surety bond to cover all deputy clerks [~~more than one deputy~~] and all other employees in a total amount that is equal to the district clerk's bond [~~of the office~~].

(b-1) A deputy clerk and an employee must be covered by a surety bond on the same conditions [~~and in the same amount~~] as the district clerk. A [~~The~~] bond covering a deputy clerk or other

1 employee [~~the deputies and employees~~] shall be made payable to the
2 governor for the use and benefit of the district clerk.

3 SECTION 3. Sections 82.002(a) and (c), Local Government
4 Code, are amended to read as follows:

5 (a) Except as provided by Subsection (b), [~~if~~] the county
6 clerk [~~has only a single deputy clerk, the county clerk~~] shall
7 execute one or more [~~a~~] surety bonds in accordance with this section
8 [~~bond~~] to cover each [~~the~~] deputy clerk or other employee. The
9 county clerk shall execute:

10 (1) an individual bond for each deputy clerk and other
11 employee in an amount for each bond that is equal to the county
12 clerk's bond; or

13 (2) a schedule surety bond or a blanket surety bond to
14 cover all [~~the~~] deputy clerks[~~, if there is more than one,~~] and all
15 other employees in a total amount that is equal to the county
16 clerk's bond [~~of the office~~].

17 (c) A [~~The~~] bond covering a deputy clerk or other [~~an~~]
18 employee must be conditioned in the same manner as the county
19 clerk's bond [~~and must be for the same amount as the bond for the~~
20 ~~county clerk~~]. A [~~The~~] bond covering a deputy clerk or other
21 employee must be made payable to the county for the use and benefit
22 of the county clerk.

23 SECTION 4. This Act takes effect September 1, 2019.