

1-1 By: Zaffirini S.B. No. 1763
1-2 (In the Senate - Filed March 6, 2019; March 14, 2019, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; April 17, 2019, reported favorably by the following
1-5 vote: Yeas 7, Nays 0; April 17, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to surety bonds for deputy clerks and other employees of
1-18 county and district clerks.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. The heading to Section 51.309, Government Code,
1-21 is amended to read as follows:

1-22 Sec. 51.309. DEPUTY CLERKS AND OTHER EMPLOYEES [CLERK].

1-23 SECTION 2. Section 51.309, Government Code, is amended by
1-24 amending Subsection (b) and adding Subsection (b-1) to read as
1-25 follows:

1-26 (b) Except as provided by Subsection (c), the district clerk
1-27 shall obtain one or more ~~[a]~~ surety bonds in accordance with this
1-28 section ~~[bond]~~ to cover each ~~[a]~~ deputy clerk or other employee.
1-29 The district clerk shall obtain:

1-30 (1) an individual bond for each deputy clerk and other
1-31 employee in an amount for each bond that is equal to the district
1-32 clerk's bond; or

1-33 (2) a schedule surety bond or a blanket surety bond to
1-34 cover all deputy clerks ~~[more than one deputy]~~ and all other
1-35 employees in a total amount that is equal to the district clerk's
1-36 bond ~~[of the office].~~

1-37 (b-1) A deputy clerk and an employee must be covered by a
1-38 surety bond on the same conditions ~~[and in the same amount]~~ as the
1-39 district clerk. A ~~[The]~~ bond covering a deputy clerk or other
1-40 employee ~~[the deputies and employees]~~ shall be made payable to the
1-41 governor for the use and benefit of the district clerk.

1-42 SECTION 3. Sections 82.002(a) and (c), Local Government
1-43 Code, are amended to read as follows:

1-44 (a) Except as provided by Subsection (b), ~~[If]~~ the county
1-45 clerk ~~[has only a single deputy clerk, the county clerk]~~ shall
1-46 execute one or more ~~[a]~~ surety bonds in accordance with this section
1-47 ~~[bond]~~ to cover each ~~[the]~~ deputy clerk or other employee. The
1-48 county clerk shall execute:

1-49 (1) an individual bond for each deputy clerk and other
1-50 employee in an amount for each bond that is equal to the county
1-51 clerk's bond; or

1-52 (2) a schedule surety bond or a blanket surety bond to
1-53 cover all ~~[the]~~ deputy clerks~~[, if there is more than one,]~~ and all
1-54 other employees in a total amount that is equal to the county
1-55 clerk's bond ~~[of the office].~~

1-56 (c) A ~~[The]~~ bond covering a deputy clerk or other ~~[an]~~
1-57 employee must be conditioned in the same manner as the county
1-58 clerk's bond ~~[and must be for the same amount as the bond for the~~
1-59 county clerk]. A ~~[The]~~ bond covering a deputy clerk or other
1-60 employee must be made payable to the county for the use and benefit
1-61 of the county clerk.

2-1 SECTION 4. This Act takes effect September 1, 2019.

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