

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Ordaz

H.B. No. 784

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the delegation of certain authority of a county judge or  
3 commissioners court in certain counties.

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

5 SECTION 1. Section 81.029, Local Government Code, is  
6 amended to read as follows:

7 Sec. 81.029. DELEGATION OF CERTAIN AUTHORITY [~~DUTIES~~] OF  
8 [~~A~~] COUNTY JUDGE OR COMMISSIONERS COURT IN CERTAIN COUNTIES. (a)  
9 This section applies only to [~~a county judge in~~] a county that has a  
10 population of more than 800,000 and is located on the international  
11 border.

12 (b) A county judge may file an order with the commissioners  
13 court of the county delegating to a county commissioner of the  
14 commissioners court, a chief administrator, or another county  
15 officer or employee the ability to sign orders or other official  
16 documents associated with the county judge's office. The  
17 delegating order must clearly indicate the types of orders or  
18 official documents that the county commissioner, chief  
19 administrator, officer, or employee may sign on behalf of the  
20 county judge.

21 (c) A county judge may file a standing order of emergency  
22 delegation of authority that clearly indicates the types of orders  
23 or official documents that the county commissioner, chief  
24 administrator, officer, or employee may sign on behalf of the

1 county judge in the event of an emergency or disaster.

2 (d) An order or official document signed by the county  
3 commissioner, chief administrator, officer, or employee under the  
4 delegated authority of the county judge under this section has the  
5 same effect as an order of the county judge.

6 (e) The county judge may at any time revoke the delegated  
7 authority or transfer the authority to a different county  
8 commissioner, chief administrator, officer, or employee by filing  
9 an order with the commissioners court.

10 (f) The commissioners court by order may delegate  
11 managerial authority of the commissioners court to a county chief  
12 administrator. The delegating order must clearly indicate the  
13 specific managerial authority delegated to the administrator. By  
14 subsequent order, the commissioners court may revoke or modify the  
15 managerial authority delegated to the administrator.

16 SECTION 2. This Act takes effect September 1, 2023.

ADOPTED

MAY 21 2023

*Lacey Spaw*  
Secretary of the Senate

By: *[Signature]*

H.B. No. 784

Substitute the following for \_\_\_B. No. \_\_\_\_\_:

By: *[Signature]*

C.S.H.B. No. 784

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the delegation of certain authority of a county judge or  
3 commissioners court in certain counties.

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

5 SECTION 1. Section 81.029(a), Local Government Code, is  
6 amended to read as follows:

7 (a) This section applies only to a county judge in a county  
8 that has a population of more than 800,000 and is located on the  
9 international border, other than a county to which Section 81.0291  
10 applies.

11 SECTION 2. Subchapter B, Chapter 81, Local Government Code,  
12 is amended by adding Section 81.0291 to read as follows:

13 Sec. 81.0291. DELEGATION OF CERTAIN AUTHORITY OF COUNTY  
14 JUDGE OR COMMISSIONERS COURT IN CERTAIN COUNTIES. (a) This section  
15 applies only to a county that:

- 16 (1) has a population of more than 800,000;
- 17 (2) is located on the international border; and
- 18 (3) borders another state.

19 (b) A county judge may file an order with the commissioners  
20 court of a county delegating to a county commissioner of the  
21 commissioners court, a chief administrator, or another county  
22 officer or employee the ability to sign orders or other official  
23 documents associated with the county judge's office. The  
24 delegating order must clearly indicate the types of orders or

1 official documents that the county commissioner, chief  
2 administrator, officer, or employee may sign on behalf of the  
3 county judge.

4 (c) A county judge may file a standing order of emergency  
5 delegation of authority that clearly indicates the types of orders  
6 or official documents that the county commissioner, chief  
7 administrator, officer, or employee may sign on behalf of the  
8 county judge in the event of an emergency or disaster.

9 (d) An order or official document signed by the county  
10 commissioner, chief administrator, officer, or employee under the  
11 delegated authority of the county judge under this section has the  
12 same effect as an order of the county judge.

13 (e) The county judge may at any time revoke the delegated  
14 authority or transfer the authority to a different county  
15 commissioner, chief administrator, officer, or employee by filing  
16 an order with the commissioners court.

17 (f) The commissioners court by order may delegate  
18 managerial authority of the commissioners court to a county chief  
19 administrator. The delegating order must clearly indicate the  
20 specific managerial authority delegated to the administrator. By  
21 subsequent order, the commissioners court may revoke or modify the  
22 managerial authority delegated to the administrator.

23 SECTION 3. This Act takes effect September 1, 2023.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**May 22, 2023**

**TO:** Honorable Dade Phelan, Speaker of the House, House of Representatives

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB784** by Ordaz (Relating to the delegation of certain authority of a county judge or commissioners court in certain counties.), **As Passed 2nd House**

<b>No fiscal implication to the State is anticipated.</b>
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**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JMc, SD, AF, BC, DPE

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**May 17, 2023**

**TO:** Honorable Paul Bettencourt, Chair, Senate Committee on Local Government

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE:** **HB784** by Ordaz (relating to the delegation of certain authority of a county judge or commissioners court in certain counties.), **Committee Report 2nd House, Substituted**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JMc, AF, BC, DPE

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**May 15, 2023**

**TO:** Honorable Paul Bettencourt, Chair, Senate Committee on Local Government

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE:** **HB784** by Ordaz (Relating to the delegation of certain authority of a county judge or commissioners court in certain counties.), **As Engrossed**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JMc, AF, BC, DPE

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**March 13, 2023**

**TO:** Honorable Victoria Neave Criado, Chair, House Committee on County Affairs

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB784** by Ordaz (Relating to the delegation of certain authority of a county judge or commissioners court in certain counties.), **As Introduced**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JMc, AF, BC, DPE