

House Bill 784
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

Sec. 81.029. DELEGATION OF CERTAIN AUTHORITY [DUTIES] OF [A] COUNTY JUDGE OR COMMISSIONERS COURT IN CERTAIN COUNTIES.

(a) This section applies only to ~~a county judge in~~ a county that has a population of more than 800,000 and is located on the international border.

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

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

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

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

SENATE VERSION (CS)

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

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

(But see SECTION 2 below.)

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

No equivalent provision. *(But see SECTION 1 above.)*

SENATE VERSION (CS)

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

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

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

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

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

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

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

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

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

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

SECTION 3. Same as House version.