Senate Research Center

79R3923 DRH-F

S.B. 1108

By: Madla

Intergovernmental Relations

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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

The office of county treasurer is required to obtain a surety bond in an amount prescribed by the county commissioners court. However, under current law there are no guidelines that must be followed in setting the amount.

As proposed, S.B. 1108 provides that the amount of the bond may not exceed one-half of one percent of the largest amount budgeted for general county maintenance and operations for any fiscal year of the county beginning during the term of office preceding the term for which the bond is to be given. The bond may be in a lesser amount than the one-half of one percent, but cannot be less than $5,000 or more than $500,000.

This bill also cleans up language that is redundant to other parts of the statute.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 83.002, Local Government Code, as follows:

Sec. 83.002. BOND. (a) Specifies that the bond, required to be executed by the county treasurer before beginning to perform the duties of office, must be executed with a surety company authorized to do business in this state as a surety. Sets forth certain requirements that the bond must meet. Deletes existing text relating to certain other requirements.

(b) Requires the county treasurer to take and subscribe the official oath, which must be endorsed on the bond. Requires the bond and the oath to be recorded in the county clerk's office. Deletes existing text requiring the treasurer to obtain a new or additional bond, if determined by the commissioners court.

SECTION 2. Provides that the change in law made by this Act applies only to a county treasurer whose term begins on or after the effective date of this Act.

SECTION 3. Effective date: September 1, 2005.