

SUBJECT: Deadline for payment of bond by incoming county treasurer

COMMITTEE: County Affairs — favorable, without amendment

VOTE: 6 ayes — G. Lewis, B. Brown, Chisum, Farabee, Salinas, Swinford
0 nays
3 absent — Ramsay, Hilderbran, Krusee

SENATE VOTE: On final passage, Local and Uncontested Calendar, March 25 — voice vote

WITNESSES: (*On House companion bill, HB 2467:*)
For — Kathy Hynson, County Treasurers Association of Texas
Against — None

BACKGROUND: Local Government Code, sec. 83.002(a) requires incoming county treasurers, before entering upon the duties of office, to execute a bond payable to the county judge on the condition that they will faithfully execute the duties of office, remit all funds received as treasurer according to law, and render an account of all funds received to the commissioners court at each regular term of the court. The bond must be paid within 20 days after the certificate of election is received.

DIGEST: SB 778 would delete the requirement for an incoming county treasurer to pay the bond within 20 days of receipt of the certificate of election. The bond still would have to be paid before the new treasurer began performing the duties of office.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. It would apply to a county treasurer who took office on or after the effective date.

SUPPORTERS SAY: Under current law, payment of the bond sometimes is due more than a month before a treasurer-elect is sworn into office. Counties are prohibited from spending funds on a county official-elect before the official actually takes office. Consequently, if an outgoing treasurer does not provide in the budget

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for the county to pay the bond for the incoming treasurer, the new treasurer must pay the bond out of pocket. SB 778 would relax this deadline to allow the incoming treasurer to pay the required bond after being sworn in but before beginning any official duties.

OPPONENTS
SAY:

No apparent opposition.