

## **BILL ANALYSIS**

Senate Research Center  
76R2199 DAK-F

S.B. 798  
By: Ellis  
Jurisprudence  
3/26/1999  
As Filed

### **DIGEST**

Currently, a personal bond must contain a sworn and signed oath administered by an official notary public. A great amount of state-mandated training time and approximately \$10,000 per year is dedicated to ensuring that all pretrial interviewers are notary publics. However, 90 to 95 percent of the notaries public use their commission solely for personal bond oath administration. Additionally, turnover of the notary public position is relatively high, requiring significant expenditures to train the approximately 22 new hires each year. S.B. 798 authorizes a personal bond office employee to administer oaths to personal bond applicants.

### **PURPOSE**

As proposed, S.B. 798 authorizes an employee of a personal bond office to take certain action relating to oaths and proof of written instruments.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 602.002, Government Code, to authorize an employee of a personal bond office to administer an oath and a certificate, if the oath is required by Article 17.04, Code of Criminal Procedure. Makes conforming changes.

SECTION 2. Amends Section 121.001(a), Civil Practice and Remedies Code, to authorize an employee of a personal bond office to take an acknowledgment or proof of a written instrument, if required by Article 17.04, Code of Criminal Procedure.

SECTION 3. Emergency clause.  
Effective date: upon passage.