

BILL ANALYSIS

Senate Research Center

H.B. 451
By: Talton (Brown, J. E. "Buster")
Jurisprudence
5/8/2001
Engrossed

DIGEST AND PURPOSE

Currently, in personal bond offices, an employee must be a notary public to administer an oath to a defendant in a trial. Because of the volume of oaths administered, many employees must be notaries public to ensure that the oath to a defendant is witnessed 24 hours a day at multiple locations. In Harris County alone, personal bond office employees administer roughly 60,000 personal bond oaths each year while preparing the necessary paperwork for a defendant's initial court hearing. H.B. 451 authorizes an employee of a personal bond office to administer an oath and give a certificate of the fact, if the oath is required or authorized by law.

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 602.002, Government Code, to authorize an oath made in this state to be administered and a certificate of the fact given by an employee of a personal bond office if the oath is required or authorized by Article 17.04, Code of Criminal Procedure.

SECTION 2. Amends Section 121.001(a), Civil Practice and Remedies Code, to authorize an acknowledgment or proof of a written instrument to be taken in this state by an employee of a personal bond office if the acknowledgment or proof of a written instrument is required or authorized by Article 17.04, Code of Criminal Procedure.

SECTION 3. Effective date: upon passage or September 1, 2001.