

BILL ANALYSIS

Senate Research Center
81R19482 NC-D

H.B. 2835
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Intergovernmental Relations
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, a county judge in a county with a population of more than 1,000,000 has the authority to delegate to another county official or county employee the ability to sign orders or other official documents associated with the county judge's office on the county judge's behalf. Current law also allows a county judge to file a standing order of emergency delegation of similar authority. The orders must clearly indicate the types of orders or official documents that the officer or employee may sign on behalf of the county judge. Documents signed with this delegated authority have the same effect as an order of the county judge and the county judge may revoke the delegated authority or transfer it to a different person by filing another order at any time.

This bill extends a limited version of this authority to El Paso County by allowing a county judge to delegate duties only to a county commissioner.

H.B. 2835 amends current law relation to the delegation of duties of a county judge in certain counties.

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 Subchapter B, Chapter 81, Local Government Code, by adding Section 81.029, as follows:

Sec. 81.029. DELEGATION OF DUTIES OF A COUNTY JUDGE IN CERTAIN COUNTIES. (a) Provides that this section applies only to a county judge in a county that has a population of more than 600,000 and is located on the international boarder.

(b) Authorizes a county judge to file an order with the commissioners court of the county delegating to a county commissioner of the commissioners court the ability to sign orders or other official documents associated with the county judge's office. Requires that the delegating order clearly indicate the types of orders or official documents that the county commissioner is authorized to sign on behalf of the county judge.

(c) Authorizes a county judge to file a standing order of emergency delegation of authority that clearly indicates the types of orders or official documents that the county commissioner is authorized to sign on behalf of the county judge in the event of an emergency or disaster.

(d) Provides that an order or official document signed by the county commissioner under the delegated authority of the county judge under this section has the same effect as an order of the county judge.

(e) Authorizes the county judge to at any time revoke the delegated authority or transfer the authority to a different county commissioner by filing an order with the commissioners court.

SECTION 2. Effective date: upon passage or September 1, 2009.