

By: Guillen

H.B. No. 1494

A BILL TO BE ENTITLED

AN ACT

relating to surety bonds for deputy clerks and other employees of county and district clerks.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Section 51.309, Government Code, is amended to read as follows:

Sec. 51.309. DEPUTY CLERKS AND OTHER EMPLOYEES [~~CLERK~~].

SECTION 2. Section 51.309(b), Government Code, is amended to read as follows:

(b) Except as provided by Subsection (c), the district clerk shall obtain a surety bond to cover each [~~a~~] deputy clerk or other employee. The district clerk may obtain a schedule surety bond or a blanket surety bond to cover more than one individual [~~deputy and all employees of the office~~]. A bond covering a [~~A~~] deputy clerk or other [~~and an~~] employee must be conditioned in [~~covered on~~] the same manner as the district clerk's bond, and the total amount of bonds covering all deputy clerks and other employees must be equal to the amount of the district clerk's bond [~~conditions and in the same amount as the district clerk~~]. A [~~The~~] bond covering a deputy clerk or other employee [~~the deputies and employees~~] shall be made payable to the governor for the use and benefit of the district clerk.

SECTION 3. Sections 82.002(a) and (c), Local Government Code, are amended to read as follows:

1 (a) The [~~If the~~] county clerk [~~has only a single deputy~~
2 ~~clerk, the county clerk~~] shall execute a surety bond to cover each
3 [~~the~~] deputy clerk or other employee. The county clerk may [~~shall~~]
4 execute a schedule surety bond or a blanket surety bond to cover
5 more than one individual [~~all the deputy clerks, if there is more~~
6 ~~than one, and all other employees of the office~~].

7 (c) A [~~The~~] bond covering a deputy clerk or other [~~an~~]
8 employee must be conditioned in the same manner as the county
9 clerk's bond, and the total amount of bonds covering all deputy
10 clerks and other employees must be at least equal to the amount of
11 the county clerk's bond [~~must be for the same amount as the bond for~~
12 ~~the county clerk~~]. A [~~The~~] bond covering a deputy clerk or other
13 employee must be made payable to the county for the use and benefit
14 of the county clerk.

15 SECTION 4. This Act takes effect September 1, 2019.