

# CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

05/26/23

Date

Honorable Dan Patrick  
President of the Senate

Honorable Dade Phelan  
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on HB 2559 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

Zaffirini  
ZAFFIRINI, CHAIR

Hinososa  
HINOSOSA

HUGHES

Mayer Middle  
MIDDLETON

Nichols  
NICHOLS On the part of the Senate

Vasut, Chair  
VASUT, Chair

Geran

Harris, C.S.

Metcalf  
Metcalf

Walle  
Walle On the part of the House

## Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.



# CONFERENCE COMMITTEE REPORT

3<sup>rd</sup> Printing

H.B. No. 2559

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the persons authorized to administer an oath in this  
3 state.

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

5 SECTION 1. Section 602.002, Government Code, is amended to  
6 read as follows:

7 Sec. 602.002. OATH MADE IN TEXAS. An oath made in this  
8 state may be administered and a certificate of the fact given by:

9 (1) a judge, retired judge, or clerk of a municipal  
10 court;

11 (2) a judge, retired judge, senior judge, clerk, or  
12 commissioner of a court of record;

13 (3) a justice of the peace, a retired justice of the  
14 peace, or a clerk of a justice court;

15 (4) an associate judge, magistrate, master, referee,  
16 or criminal law hearing officer;

17 (5) a notary public;

18 (6) a member of a board or commission created by a law  
19 of this state, in a matter pertaining to a duty of the board or  
20 commission;

21 (7) a person employed by the Texas Ethics Commission  
22 who has a duty related to a report required by Title 15, Election  
23 Code, in a matter pertaining to that duty;

24 (8) a county tax assessor-collector or an employee of

1 the county tax assessor-collector if the oath relates to a document  
2 that is required or authorized to be filed in the office of the  
3 county tax assessor-collector;

4 (9) the secretary of state or a former secretary of  
5 state;

6 (10) an employee of a personal bond office, or an  
7 employee of a county, who is employed to obtain information  
8 required to be obtained under oath if the oath is required or  
9 authorized by Article 17.04 or by Article 26.04(n) or (o), Code of  
10 Criminal Procedure;

11 (11) the lieutenant governor or a former lieutenant  
12 governor;

13 (12) the speaker of the house of representatives or a  
14 former speaker of the house of representatives;

15 (13) the governor or a former governor;

16 (14) a legislator or retired legislator;

17 (14-a) the secretary of the senate or the chief clerk  
18 of the house of representatives;

19 (15) the attorney general or a former attorney  
20 general;

21 (16) the comptroller of public accounts or a former  
22 comptroller of public accounts;

23 (17) the secretary or clerk of a municipality in a  
24 matter pertaining to the official business of the municipality;

25 (18) [~~17~~] a peace officer described by Article 2.12,  
26 Code of Criminal Procedure, if:

27 (A) the oath is administered when the officer is

1 engaged in the performance of the officer's duties; and

2 (B) the administration of the oath relates to the  
3 officer's duties; or

4 (19) [~~(18)~~] a county treasurer.

5 SECTION 2. This Act takes effect September 1, 2023.

**House Bill 2559**  
Conference Committee Report  
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 602.002, Government Code, is amended to read as follows:

Sec. 602.002. OATH MADE IN TEXAS. An oath made in this state may be administered and a certificate of the fact given by:

- (1) a judge, retired judge, or clerk of a municipal court;
- (2) a judge, retired judge, senior judge, clerk, or commissioner of a court of record;
- (3) a justice of the peace, a retired justice of the peace, or a clerk of a justice court;
- (4) an associate judge, magistrate, master, referee, or criminal law hearing officer;
- (5) a notary public;
- (6) a member of a board or commission created by a law of this state, in a matter pertaining to a duty of the board or commission;
- (7) a person employed by the Texas Ethics Commission who has a duty related to a report required by Title 15, Election Code, in a matter pertaining to that duty;
- (8) a county tax assessor-collector or an employee of the county tax assessor-collector if the oath relates to a document that is required or authorized to be filed in the office of the county tax assessor-collector;
- (9) the secretary of state or a former secretary of state;
- (10) an employee of a personal bond office, or an employee of a county, who is employed to obtain information required to be obtained under oath if the oath is required or authorized by Article 17.04 or by Article 26.04(n) or (o), Code of Criminal Procedure;
- (11) the lieutenant governor or a former lieutenant governor;
- (12) the speaker of the house of representatives or a former speaker of the house of representatives;

SENATE VERSION (IE)

SECTION 1. Section 602.002, Government Code, is amended to read as follows:

Sec. 602.002. OATH MADE IN TEXAS. An oath made in this state may be administered and a certificate of the fact given by:

- (1) a judge, retired judge, or clerk of a municipal court;
- (2) a judge, retired judge, senior judge, clerk, or commissioner of a court of record;
- (3) a justice of the peace, a retired justice of the peace, or a clerk of a justice court;
- (4) an associate judge, magistrate, master, referee, or criminal law hearing officer;
- (5) a notary public;
- (6) a member of a board or commission created by a law of this state, in a matter pertaining to a duty of the board or commission;
- (7) a person employed by the Texas Ethics Commission who has a duty related to a report required by Title 15, Election Code, in a matter pertaining to that duty;
- (8) a county tax assessor-collector or an employee of the county tax assessor-collector if the oath relates to a document that is required or authorized to be filed in the office of the county tax assessor-collector;
- (9) the secretary of state or a former secretary of state;
- (10) an employee of a personal bond office, or an employee of a county, who is employed to obtain information required to be obtained under oath if the oath is required or authorized by Article 17.04 or by Article 26.04(n) or (o), Code of Criminal Procedure;
- (11) the lieutenant governor or a former lieutenant governor;
- (12) the speaker of the house of representatives or a former speaker of the house of representatives;

CONFERENCE

SECTION 1. Same as Senate version.

**House Bill 2559**  
Conference Committee Report  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

- (13) the governor or a former governor;
- (14) a legislator or retired legislator;
- (14-a) the secretary of the senate or the chief clerk of the house of representatives;
- (15) the attorney general or a former attorney general;
  
- (16) the secretary or clerk of a municipality in a matter pertaining to the official business of the municipality;
  
- (17) a peace officer described by Article 2.12, Code of Criminal Procedure, if:
  - (A) the oath is administered when the officer is engaged in the performance of the officer's duties; and
  - (B) the administration of the oath relates to the officer's duties; or
- (18) a county treasurer.

- (13) the governor or a former governor;
- (14) a legislator or retired legislator;
- (14-a) the secretary of the senate or the chief clerk of the house of representatives;
- (15) the attorney general or a former attorney general;
- (16) the comptroller of public accounts or a former comptroller of public accounts;**
- (17) the secretary or clerk of a municipality in a matter pertaining to the official business of the municipality; [FA1(1)]
- (18) [~~(17)~~] a peace officer described by Article 2.12, Code of Criminal Procedure, if: [FA1(2)]
  - (A) the oath is administered when the officer is engaged in the performance of the officer's duties; and
  - (B) the administration of the oath relates to the officer's duties; or
- (19) [~~(18)~~] a county treasurer. [FA1(3)]

SECTION 2. Effective date.

SECTION 2. Same as House version.

SECTION 2. Same as House version.

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**May 26, 2023**

**TO:** Honorable Dan Patrick, Lieutenant Governor, Senate  
Honorable Dade Phelan, Speaker of the House, House of Representatives

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB2559** by Vasut (Relating to the persons authorized to administer an oath in this state.), **Conference Committee Report**

**No significant fiscal implication to the State is anticipated.**

It is assumed that any costs and savings associated with the bill would be insignificant

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

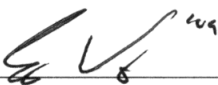
**LBB Staff:** JMc, CMA, SD, KDw



**Certification of Compliance with  
Rule 13, Section 6(b), House Rules of Procedure**

Rule 13, Section 6(b), House Rules of Procedure, requires that a copy of a conference committee report signed by a majority of each committee of the conference be furnished to each member of the committee in person or, if unable to deliver in person, by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Rule 13, Section 10(a). The paper copies of the report submitted to the chief clerk under Rule 13, Section 10(b), must contain a certificate that the requirement of Rule 13, Section 6(b), has been satisfied, and that certificate must be attached to the copy of the report furnished to each member under Rule 13, Section 10(d). Failure to comply with this requirement is not a sustainable point of order.

I certify that a copy of the conference committee report on HB 2559 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before paper copies of the report were submitted to the chief clerk under Rule 13, Section 10(b), House Rules of Procedure.

  
\_\_\_\_\_  
(Signature)

May 26, 2023  
(Date)