

BILL ANALYSIS

C.S.H.B. 1494
By: Guillen
Judiciary & Civil Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been suggested that current requirements relating to the issuance of bonds for deputy clerks and other employees of a district or county clerk are confusing and inconsistent. C.S.H.B. 1494 seeks to remedy this issue by making the requirements for district clerk and county clerk employees more consistent and simplifying requirements that apply to a blanket surety bond or schedule surety bond that covers all of a clerk's employees.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1494 amends the Government Code to replace the existing surety bond requirements for deputy clerks and other employees of a district clerk with a requirement for a district clerk to obtain one or more surety bonds to cover each deputy clerk or other employee by one of the following means:

- an individual bond for each deputy clerk and other employee in an amount for each bond that is equal to the district clerk's bond; or
- a schedule surety bond or blanket surety bond to cover all deputy clerks and all other employees in a total amount that is equal to the district clerk's bond.

C.S.H.B. 1494 amends the Local Government Code to replace the existing surety bond requirements for deputy clerks and other employees of a county clerk with a requirement for a county clerk to execute one or more surety bonds to cover each deputy clerk or other employee by executing individual bonds or a schedule surety bond or blanket surety bond that meets the same requirements applicable to the surety bonds obtained by a district clerk for the clerk's employees.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 1494 makes certain minor and nonsubstantive revisions to clarify the bond options.