

BILL ANALYSIS

Senate Research Center

H.B. 2222
By: Rhodes (Armbrister)
Criminal Justice
5-13-97
Engrossed

DIGEST

Currently, Section 85.001(g) of the Local Government Code requires a person elected as sheriff to take the official oath within 20 days after receiving the notice of election. Failure to do so results in the office being considered vacant. This creates confusion when a new sheriff is elected in November and the outgoing sheriff is not scheduled to resign his or her office until December 31st. With more than 20 days passing between the election and taking the oath of office, technically the office should be considered vacant.

This bill would repeal Section 85.001(g) of the Local Government Code, removing the language that requires a sheriff to take the official oath of office within 20 days of receiving notice of election.

PURPOSE

As proposed, H.B. 2222 repeals Section 85.001(g) of the Local Government Code, removing the language that requires a sheriff to take the official oath of office within 20 days of receiving notice of election.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Repealer: Section 85.001(g), Local Government Code (Failure to Execute Bond and Take Official Oath; Oath and Bond).

SECTION 2. Emergency clause.
Effective date: upon passage.