

## **BILL ANALYSIS**

Senate Research Center

H.B. 2769  
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Engrossed

### **DIGEST**

Currently, a county check will become overdue and nonnegotiable if not presented for payment within 366 days. This provision allows counties to remove these outstanding checks from their ledgers and include these amounts in their account balances even though the underlying claim is not extinguished. However, since the change was effective August 31, 1993, there remains some ambiguity over the status of checks issued prior to that date. H.B. 2769 would clarify current law with regard to uncashed county checks prior to September 1, 1993, and exempts cash bail bonds from transfer of unclaimed funds to the state treasurer released by the court.

### **PURPOSE**

As proposed, H.B. 2769 outlines provisions regarding the county depository and depositories for certain trust funds.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 116.116(c), Local Government Code, to provide that a warrant or check, including a warrant or check issued prior to September 1, 1993, issued by the county treasurer in settlement of a claim against a county that is not presented for payment before the 366th day following the date of issuance is overdue and nonnegotiable.

SECTION 2. Amends Section 117.002, Local Government Code, to require any funds, except cash bail bonds, deposited under this chapter that are presumed abandoned under Chapter 72, 73, or 75, Property Code, to be reported and delivered by the county or district clerk to the state treasurer without any further action by any court.

SECTION 3. Emergency clause.  
Effective date: upon passage.