

BILL ANALYSIS

Senate Research Center

C.S.S.B. 890
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Intergovernmental Relations
3-20-97
Committee Report (Substituted)

DIGEST

Currently, the county treasurer in some counties is the only person authorized to execute certain financial responsibilities. If the county treasurer is unable to perform these duties, the county's obligations may not be met on a timely basis. This bill authorizes a county treasurer to appoint a person to act on the treasurer's behalf if the treasurer is absent, unavoidably detained, incapacitated, or unable to act.

PURPOSE

As proposed, C.S.S.B. 890 authorizes a county treasurer to appoint a person to act on the treasurer's behalf if the treasurer is absent, unavoidably detained, incapacitated, or unable to act.

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 83.005, Local Government Code, as follows:

Sec. 83.005. New heading: APPOINTMENT OF PERSON TO ACT IN TREASURER'S PLACE. Authorizes the county treasurer to appoint a person to act in the treasurer's place in a county in which the county treasurer does not have a deputy. Deletes a provision requiring the county population to be more than 190,00. Authorizes the appointed person to act in the treasurer's place if the treasurer is absent, unavoidably detained, incapacitated, or unable to act. Deletes provisions authorizing the appointed person to act in the treasurer's place in counties with certain populations. Prohibits an appointed person from receiving any compensation from the county, if the treasurer appoints a person other than a regularly employed county employee, rather than an assistant. Makes conforming changes.

SECTION 2. Effective date: September 1, 1997.
Makes application of this Act prospective.

SECTION 3. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 83.005, Local Government Code, to require the county treasurer to appoint a person to act in the treasurer's place, subject to the approval of the commissioners court. Reinstates proposed deleted Subsection (b), requiring the treasurer to provide the commissioners court with the details justifying an appointment under this section. Reinstates a proposed deleted amendment to Subsection (c) regarding the authorization for an appointed person to act for the treasurer if the commissioners court approves the appointment.