

BILL ANALYSIS

Senate Research Center
76R7254 SMJ-D

H.B. 3207
By: Ramsay (Madla)
Jurisprudence
5/6/1999
Engrossed

DIGEST

Currently, Texas law requires all district clerks to obtain errors and omissions insurance or similar coverage from a governmental pool operating under Chapter 119, Local Government Code, and requires a district or deputy clerk to obtain a separate policy to cover losses due to burglary and other enumerated occurrences. The language of the law does not recognize the use of self-insurance funds, also known as governmental and intergovernmental pools, or risk retention groups authorized under Article 715c, V.T.C.S. This bill would authorize a clerk to obtain coverage issued by a governmental unit under Article 715c, V.T.C.S., and provide that both types of required coverage are addressed in Section 51.302, and increase the minimum amount of coverage a clerk is required to purchase.

PURPOSE

As proposed, H.B. 3207 revises the requirement for insurance coverage for district clerks.

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 51.302(c), Government Code, to require that each district clerk obtain an insurance policy from a governmental unit under Chapter 1084, Acts of the 70th Legislature, Regular Session, 1987 (Article 715c, V.T.C.S.) to cover the district clerk and any deputy clerk against losses from burglary, theft, robbery, counterfeit currency, or destruction. Requires the amount of the coverage to be in an amount equal to the maximum amount of fees collected in any year during the term of office immediately preceding the term for which the insurance is obtained, except that the amount is prohibited from being less than \$20,000, rather than \$10,000.

SECTION 2. Repealer: Section 51.302(e), Government Code (prohibiting the amount each district clerk is required to obtain in an insurance policy from exceeding \$20,000).

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