

By: Duncan

S.B. No. 373

A BILL TO BE ENTITLED

# 1 AN ACT

2 relating to the office of county treasurer.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Subsection (b), Article 103.003, Code of  
5 Criminal Procedure, is amended to read as follows:

10 SECTION 2. Subsections (a) and (c), Article 103.004, Code  
11 of Criminal Procedure, are amended to read as follows:

23 (c) The commissioners court of a county with a population of  
24 less than 50,000 may authorize an officer who is required to deposit

1 money under Subsection (a) to deposit the money in the county  
2 treasury not later than the 15th [30th] day after the date that the  
3 money is collected.

4 SECTION 3. Subsection (a), Section 83.003, Local Government  
5 Code, is amended to read as follows:

6 (a) ~~A [Within one year after the date on which a]~~ person  
7 first takes office as ~~county treasurer, the~~ county treasurer must  
8 successfully complete an introductory course of instruction in the  
9 performance of the duties of county treasurer:

10 (1) within one year after the date on which the person  
11 takes office if elected to a full term; or  
12 (2) at the earliest available date if appointed by the  
13 commissioners court or elected to an unexpired term of county  
14 treasurer.

15 SECTION 4. Chapter 83, Local Government Code, is amended by  
16 adding Sections 83.008 and 83.009 to read as follows:

17 Sec. 83.008. SURETY BOND ON ASSISTANT TREASURERS, DEPUTIES,  
18 AND EMPLOYEES; SELF-INSURANCE. (a) If a county treasurer employs  
19 only one assistant or deputy, the county treasurer shall execute a  
20 surety bond to cover the assistant or deputy and shall execute a  
21 schedule surety bond or a blanket surety bond to cover all other  
22 employees of the office. If a county treasurer employs more than  
23 one assistant or deputy, the county treasurer shall execute a  
24 blanket surety bond to cover the assistants or deputies and all  
25 other employees of the office.

26 (b) Instead of a county treasurer obtaining a bond as  
27 required by Subsection (a), the county may self-insure against

1    losses that would have been covered by the bond.

2            (c) The bond under this section must be conditioned in the  
3    same manner and must be for the same amount as the bond for the  
4    county treasurer under Section 83.002. The bond must be made  
5    payable to the county judge for the use and benefit of the county  
6    treasurer.

7            Sec. 83.009. ASSISTANT TREASURER OR TREASURY DEPUTY.

8            (a) The appointment of an assistant treasurer or treasury deputy  
9    must be in writing, be signed by the county treasurer, and bear the  
10   seal of the county court.

11            (b) A person appointed as an assistant treasurer or treasury  
12   deputy, before beginning to perform the duties of office, must take  
13   and subscribe the official oath, which, together with the  
14   certificate of the officer administering the oath, must be endorsed  
15   on the appointment. The appointment and oath shall be deposited and  
16   recorded in the county clerk's office.

17            (c) An assistant treasurer or treasury deputy acts in the  
18   name of the county treasurer as directed by the county treasurer and  
19   may perform all official acts that the county treasurer may perform  
20   at the discretion of the county treasurer.

21            SECTION 5. Sections 111.0707 and 111.07075, Local  
22   Government Code, are amended to read as follows:

23            Sec. 111.0707. SPECIAL BUDGET FOR REVENUE FROM  
24   INTERGOVERNMENTAL CONTRACTS.    (a) The county auditor shall  
25   certify to the commissioners court the receipt of all revenue from  
26   intergovernmental contracts that is available for disbursement in a  
27   fiscal year but not included in the budget for that fiscal year. On

1 certification, the court shall adopt a special budget for the  
2 limited purpose of spending the revenue from intergovernmental  
3 contracts for its intended purpose.

4       **(b) The county treasurer shall notify the county auditor of**  
5 **the receipt of all revenue from intergovernmental contracts not**  
6 **previously included in a special budget or the annual budget for**  
7 **that fiscal year.**

8           Sec. 111.07075. SPECIAL BUDGET FOR REVENUE RECEIVED AFTER  
9 START OF FISCAL YEAR. **(a) The county auditor shall certify to the**  
10 **commissioners court the receipt of revenue from a new source not**  
11 **anticipated before the adoption of the budget and not included in**  
12 **the budget for that fiscal year. On certification, the court may**  
13 **adopt a special budget for the limited purpose of spending the**  
14 **revenue for general purposes or for any of its intended purposes.**

15       **(b) The county treasurer shall notify the county auditor of**  
16 **the receipt of all revenue from a new source not anticipated before**  
17 **the adoption of the budget and not previously included in a special**  
18 **budget or the annual budget for that fiscal year.**

19           SECTION 6. Subchapter A, Chapter 113, Local Government  
20 Code, is amended by adding Section 113.0001 to read as follows:

21       **Sec. 113.0001. DEFINITIONS. In this chapter:**

22           **(1) "Depository" means the financial institution**  
23 **selected under Section 116.021 for safekeeping of the county**  
24 **treasury.**

25           **(2) "Depository account" means an account covered by**  
26 **the depository agreement, including required collateral.**

27           **(3) "Money" means an item or medium of exchange such as**

1 coins, currency, checks, or other means of payment, including  
2 electronic payment.

3 (4) "Treasury" means the money belonging to the county  
4 held by the county treasurer.

5 SECTION 7. Section 113.008, Local Government Code, is  
6 amended to read as follows:

7 Sec. 113.008. RECONCILIATION OF DEPOSITORY ACCOUNTS  
8 [~~COUNTY CHECKS AND WARRANTS~~]. (a) The county depository shall  
9 provide statements of all bank activity and documentation  
10 supporting a statement's transactions not less than once a month  
11 [~~all canceled checks and warrants and supporting statements~~] to the  
12 county treasurer.

13 (b) The county depository shall provide the information  
14 required by Subsection (a) to the official responsible for the  
15 account [~~Subsection (a) does not apply~~] if:

16 (1) the checks and orders for payment [~~warrants~~] are  
17 payable from funds under the direct authority of an official other  
18 than the county treasurer as provided by statute; and

19 (2) the official has not delegated the responsibility  
20 for reconciliation under Subsection (b-1).

21 (b-1) The [~~exemption provided by this subsection does not~~  
22 ~~apply if the~~] official may request [~~requests~~] the county treasurer  
23 to be responsible for the reconciliation of the checks and orders  
24 for payment [~~warrants~~] payable from the funds that are under the  
25 direct authority of the official. Except as provided by Subsection  
26 (g), an official who fails to reconcile the official's special  
27 accounts monthly shall transfer responsibility for account

1 reconciliation to the county treasurer. Unless the official and  
2 county treasurer set another period in writing for the duration of a  
3 transfer under this section, the transfer is effective for the  
4 duration of the term of office for the designating officer.

5 (c) In fulfilling the requirements of Subsections  
6 [Subsection] (a) and (b), the county depository shall provide, at  
7 the direction of the county treasurer and in accordance with the  
8 rules adopted by the Texas State Library and Archives Commission,  
9 originals, optical images, or electronic images of:

10 (1) [original] canceled checks and orders for payment  
11 [warrants]; [or]  
12 (2) deposit detail;  
13 (3) debit and credit memoranda; or  
14 (4) electronic transmission detail [optical images of  
15 the front and back of canceled checks and warrants if the optical  
16 images are retained in accordance with the rules adopted by the  
17 Texas State Library and Archives Commission].

18 (d) The county treasurer shall:

19 (1) reconcile all balances and transactions for each  
20 treasury account in the county depository's statement of activity  
21 to the transactions and balances shown on the treasurer's records  
22 [the canceled checks and warrants with the account records of the  
23 depository]; and

24 (2) ensure all financial adjustments are made  
25 regarding the depository account as required.

26 (e) In this section, a reference to the county treasurer  
27 includes a person performing the duties of the county treasurer.

1        (f) Except as provided by Subsection (g), an official with  
2 special funds in the depository bank shall:

3            (1) reconcile all balances and transactions in the  
4 statement of activity to the transactions and balances shown on the  
5 official's records; and

6            (2) each month, ensure all financial adjustments  
7 resulting from the reconciliation are reported to the county  
8 auditor for entry in the general set of records and reflected in the  
9 cash receipts and disbursement registers of the county treasurer.

10        (g) Subsections (b-1) and (f)(2) do not apply to a special  
11 fund administered by an attorney representing the state under  
12 Chapter 18, 47, or 59, Code of Criminal Procedure.

13        SECTION 8. Sections 113.021 and 113.022, Local Government  
14 Code, are amended to read as follows:

15        Sec. 113.021. REQUIREMENT THAT MONEY BE DEPOSITED WITH  
16 COUNTY TREASURER ~~[AND PUT INTO SPECIAL FUND]~~; INTEREST. (a) The  
17 fees, commissions, funds, and other money belonging to a county  
18 shall be deposited with the county treasurer by the person  
19 ~~[officer]~~ who collects the money. The person ~~[officer]~~ must  
20 deposit the money in accordance with any applicable procedures  
21 prescribed by or under Section 112.001 or 112.002. However, the  
22 county tax assessor-collector must deposit the money in accordance  
23 with the procedures prescribed by or under the Tax Code and other  
24 laws.

25        (b) The county treasurer shall deposit the money in the  
26 county depository in the proper ~~[a special]~~ fund to the credit of  
27 the person or department collecting ~~[officer who collected]~~ the

1 money. [If the money is fees, commissions, or other compensation  
2 collected by an officer who is paid on a salary basis, the  
3 appropriate special fund is the applicable salary fund created  
4 under Chapter 154.]

5 (c) The interest accruing on the money in the [special] fund  
6 is for the benefit of the county in accordance with other law.

7 Sec. 113.022. TIME FOR MAKING DEPOSITS. (a) A county  
8 officer or other person who receives money [funds] shall deposit  
9 the money [funds] with the county treasurer on or before the next  
10 regular business day after the date on which the money is [funds  
11 are] received. If this deadline cannot be [is not] met, the officer  
12 or person must deposit the money [funds], without exception, on or  
13 before the fifth [seventh] business day after the day on which the  
14 money is [funds are] received. However, in a county with fewer than  
15 50,000 inhabitants, the commissioners court may extend the period  
16 during which funds must be deposited with the county treasurer, but  
17 the period may not exceed 15 [30] days after the date the funds are  
18 received.

19 (b) A county treasurer shall deposit the money [funds]  
20 received under Subsection (a) in the county depository in  
21 accordance with Section 116.113(a). In all cases, the treasurer  
22 shall deposit the money [funds] on or before the seventh business  
23 day after the date the treasurer receives the money [funds].

24 SECTION 9. The heading to Section 113.041, Local Government  
25 Code, is amended to read as follows:

26 Sec. 113.041. DISBURSEMENT OF MONEY BY COUNTY TREASURER;  
27 PAYMENT BY CHECK OR ELECTRONIC TRANSMISSION [OR WARRANT]; LOST OR

1 DESTROYED INSTRUMENT.

2 SECTION 10. Section 113.041, Local Government Code, is  
3 amended by amending Subsections (b) through (e), (g), and (h) and  
4 adding Subsection (d-1) to read as follows:

5 (b) Except as provided by Chapter 156, a person may not  
6 spend or withdraw money from the county treasury except by a check  
7 or order for payment [~~warrant~~] drawn on the county treasury,  
8 whether or not the money is in a county depository as required by  
9 law.

10 (c) The county treasurer may not disburse [~~pay~~] money out of  
11 the county treasury without an order for payment [~~a certificate or~~  
12 ~~warrant~~] from an officer who is authorized by law to issue the order  
13 [~~certificate or warrant~~].

14 (d) If the county treasurer doubts the legality or propriety  
15 of an order[~~, decree, certificate, or warrant~~] presented to the  
16 treasurer for payment, the treasurer may not make the payment. The  
17 treasurer shall report the matter to the commissioners court for  
18 the court's consideration and direction. The treasurer may require  
19 that the claim supporting the order be made available and verified  
20 by an affidavit after the claim is approved for payment by the  
21 commissioners court.

22 (d-1) In a county without a county auditor, the county  
23 treasurer may not make a payment if the treasurer has reason to  
24 believe that the check or order for payment is not valid as a proper  
25 and budgeted item of expenditure. The treasurer shall report the  
26 matter to the commissioners court for consideration and direction.

27 (e) If the county treasurer is satisfied that an original

1 check or other order drawn on the county treasury by a proper  
2 authority is lost or destroyed, the treasurer may issue a duplicate  
3 instrument in place of the original. The treasurer may not issue a  
4 duplicate until an applicant has filed an affidavit with the  
5 treasurer that states that the applicant is the true owner of the  
6 original instrument and that, to the best knowledge and belief of  
7 the applicant, the original is lost or destroyed.

8 (g) If, after issuance of the duplicate instrument, the  
9 county treasurer determines that the duplicate was issued  
10 improperly or that the applicant or person to whom the duplicate was  
11 issued is not the owner of the original instrument, the treasurer  
12 shall immediately stop payment or demand ~~[the return of the~~  
13 ~~duplicate, if it is unpaid, or]~~ the return of the amount paid by the  
14 county, if the duplicate is paid. If the person fails to return the  
15 ~~duplicate instrument or the~~ amount of the instrument, the  
16 treasurer shall institute a suit for recovery ~~[on the bond]~~ through  
17 the office of the county or district attorney. Venue for the suit  
18 lies in the county in which the treasurer serves.

19 (h) A county treasurer may not honor a check or order for  
20 payment ~~[warrant]~~ on the interest and sinking fund provided for a  
21 bond of the county or pay out or divert money in that fund except to  
22 pay the principal of or interest on the bond or invest money in  
23 securities as provided by law.

24 SECTION 11. The heading to Section 113.042, Local  
25 Government Code, is amended to read as follows:

26 Sec. 113.042. ENDORSEMENT BY COUNTY TREASURER; OTHER  
27 [WARRANT] REQUIREMENTS FOR ORDER FOR PAYMENT.

1 SECTION 12. Subsections (a), (b), (e), (f), and (g),  
2 Section 113.042, Local Government Code, are amended to read as  
3 follows:

4 (a) On the presentation of an order for payment [~~a warrant~~],  
5 check, or voucher[~~, or order~~] drawn by a proper authority, and if  
6 there are sufficient funds for payment on deposit in the account  
7 against which the instrument is drawn, the county treasurer shall  
8 endorse on the face of the instrument the order to pay the named  
9 payee and shall charge the amount in the treasurer's records to the  
10 fund on which it is drawn.

11 (b) The county treasurer may not issue and the county  
12 depository may not pay a check drawn on the county depository to  
13 take up an order for payment [~~a warrant~~] drawn by a proper  
14 authority, but the county treasurer shall, on the presentation of  
15 the order [~~warrant~~], endorse the order [~~warrant~~] and deliver it to  
16 the payee, who may present it to the county depository for payment.

17 (e) Each check or order for payment [~~warrant~~] issued or  
18 drawn by an officer under the provisions of this section is subject  
19 to all laws and rules relating to auditing and countersigning.

20 (f) Each order for payment [~~warrant~~] or scrip issued against  
21 the county treasurer by a judge or court must be signed and attested  
22 by the clerk or judge of the court under that officer's official  
23 seal.

24 (g) A justice of the peace may not issue an order for payment  
25 [~~warrants~~] against the county treasury for any purpose except as  
26 may be provided by the Code of Criminal Procedure.

27 SECTION 13. Section 113.043, Local Government Code, is

1 amended to read as follows:

2 Sec. 113.043. COUNTERSIGNATURE BY COUNTY AUDITOR. In a  
3 county with a county auditor, the county treasurer and the county  
4 depository may not pay a check or order for payment [~~warrant~~] unless  
5 it is countersigned by the county auditor to validate it as a proper  
6 and budgeted item of expenditure. This section does not apply to a  
7 check or order [~~warrant~~] for jury service or for restitution  
8 collected on behalf of an individual as authorized by law.

9 SECTION 14. Section 113.046, Local Government Code, is  
10 amended to read as follows:

11 Sec. 113.046. REGISTER OF ORDERS FOR PAYMENT [~~WARRANTS~~]  
12 ISSUED BY JUDGE OR CLERK. (a) The county auditor shall maintain a  
13 register of the orders for payment [~~warrants~~] issued on the county  
14 treasurer by a judge or by the district or county clerk. A register  
15 entry for an order [~~a warrant~~] must indicate the date of payment by  
16 the treasurer.

17 (b) On a form prepared by the auditor, the clerk or judge  
18 shall furnish the auditor with a daily itemized report that  
19 specifies the orders for payment [~~warrants~~] issued, the number of  
20 orders [~~warrants~~], the amounts of the orders [~~warrants~~], the names  
21 of the persons to whom the orders [~~warrants~~] are payable, and the  
22 purposes of the orders [~~warrants~~].

23 SECTION 15. Subsection (c), Section 113.048, Local  
24 Government Code, is amended to read as follows:

25 (c) A system or method of payment authorized by this section  
26 may be used in lieu of or in addition to the issuance of [~~warrants~~  
27 or] checks or orders for payment authorized under this subchapter.

1 SECTION 16. The heading to Section 113.061, Local  
2 Government Code, is amended to read as follows:

3 Sec. 113.061. CLAIMS REGISTER[~~, CLASSES OF CLAIMS~~].

4 SECTION 17. Section 113.063, Local Government Code, is  
5 amended to read as follows:

6 Sec. 113.063. CLAIMS INFORMATION LIST; INDEBTEDNESS TO THE  
7 COUNTY. (a) Each officer who collects a fine, penalty,  
8 forfeiture, judgment, tax, [~~or~~] other indebtedness, or payment  
9 obligation owed to the county [~~in a claim against the county~~] shall  
10 keep a descriptive list of those claims. When the officer reports  
11 the collection, the officer shall file with the report a list that  
12 states:

13 (1) the party in whose favor the claim was issued;

14 (2) the receipt number issued in documentation of  
15 payment [~~class and register number of the claim~~];

16 (3) the name of the party paying in the claim;

17 (4) the amount received; and

18 (5) the purpose for which the amount was received.

19 (b) The officer shall give the claims and the report to the  
20 county treasurer, who shall give the officer a receipt. The  
21 treasurer shall determine the time and manner of making [~~file the~~  
22 ~~list with~~] the [~~treasurer's~~] report [~~in the office of the county~~  
23 ~~clerk~~].

24 SECTION 18. Section 114.022, Local Government Code, is  
25 amended by adding Subsection (c) to read as follows:

26 (c) A county publishing monthly financial reports under  
27 Section 114.023 that publishes its comprehensive annual financial

1 report on its Internet website is not required to publish an exhibit  
2 under this section.

3 SECTION 19. Subsection (b), Section 114.023, Local  
4 Government Code, is amended to read as follows:

5 (b) In addition to information considered necessary by the  
6 auditor or required by the commissioners court, the report must  
7 contain:

8 (1) all of the facts of interest related to the  
9 financial condition of the county;

10 (2) a consolidated balance sheet;

11 (3) a complete statement of the balances on hand at the  
12 beginning and end of the month;

13 (4) a statement of the aggregate receipts and  
14 disbursements of each fund;

15 (5) a statement of transfers to and from each fund;

16 (6) a statement of the bond and order for payment  
17 [warrant] indebtedness with corresponding rates of interest; and

18 (7) a summarized budget statement that shows:

19 (A) the expenses paid from the budget for each  
20 budgeted officer, department, or institution during that month and  
21 for the period of the fiscal year inclusive of the month for which  
22 the report is made;

23 (B) the encumbrances against the budgets; and

24 (C) the amounts available for further  
25 expenditures.

26 SECTION 20. Subsection (c), Section 115.002, Local  
27 Government Code, is amended to read as follows:

1                   (c) The auditor shall carefully examine the report made  
2 under Section 114.026 by the county treasurer, together with the  
3 canceled orders for payment [~~warrants~~] that have been paid. The  
4 auditor shall verify those orders [~~warrants~~] with the register of  
5 orders [~~warrants~~] issued as shown on the auditor's books.

6                   SECTION 21. Subsection (b), Section 116.002, Local  
7 Government Code, is amended to read as follows:

8                   (b) Orders for payment [~~warrants~~], checks, and vouchers  
9 evidencing the money deposited in the county depository under  
10 Subsection (a) are subject to audit and countersignature as  
11 provided by law.

12                   SECTION 22. Section 116.115, Local Government Code, is  
13 amended to read as follows:

14                   Sec. 116.115. CLEARINGHOUSE FOR MULTIPLE DEPOSITORYIES. If  
15 the funds of a county are deposited with more than one depository,  
16 the commissioners court shall by order name one of the depositories  
17 to act as a clearinghouse for the others. All county orders for  
18 payment [~~warrants~~] are finally payable at the depository named as  
19 the clearinghouse.

20                   SECTION 23. Subsections (a) and (c), Section 116.116, Local  
21 Government Code, are amended to read as follows:

22                   (a) A county depository shall pay a check or order for  
23 payment [~~warrant~~] drawn by the county treasurer against funds  
24 deposited with the depository on presentation of the check or order  
25 [~~warrant~~] if the funds subject to the check or order [~~warrant~~] are  
26 in the possession of the depository, and, in the case of a time  
27 deposit, if the agreed period of notice has expired.

1                   (c) An order for payment [~~A warrant~~] or check, including an  
2 order [~~a warrant~~] or check issued prior to September 1, 1993, issued  
3 by the county treasurer in settlement of a claim against a county  
4 that is not presented for payment before the 366th day following the  
5 date of issuance is overdue and nonnegotiable. The sum of the  
6 overdue order [~~warrant~~] or check shall be credited as revenue to the  
7 county if delivery to the payees was attempted or occurred within a  
8 reasonable time following the issuance of the order [~~warrant~~] or  
9 check. No right to full settlement of a proper unpaid claim is  
10 extinguished by this subsection.

11                  SECTION 24. The heading to Section 116.120, Local  
12 Government Code, is amended to read as follows:

13                  Sec. 116.120. COLLECTION OF CERTAIN OVERDUE COUNTY ORDERS  
14 FOR PAYMENT [~~WARRANTS~~] OR CHECKS.

15                  SECTION 25. Subsections (a) and (b), Section 116.120, Local  
16 Government Code, are amended to read as follows:

17                  (a) This section applies only to an order for payment [~~a~~  
18 ~~warrant~~] or check issued by a county treasurer in settlement of a  
19 claim against a county that has not been presented for payment.

20                  (b) A person attempting to recover funds from the county for  
21 a check or order for payment [~~warrant~~] issued by the county  
22 treasurer may not charge the person to whom the check or order  
23 [~~warrant~~] was issued and on whose behalf the attempted recovery is  
24 made, or that person's successors or assigns, a fee in an amount  
25 equal to more than 10 percent of the face value of the check or order  
26 [~~warrant~~].

27                  SECTION 26. Section 116.155, Local Government Code, is

1 amended to read as follows:

2 Sec. 116.155. FAILURE OF DEPOSITORY TO PAY CHECK OR ORDER  
3 FOR PAYMENT [~~WARRANT~~]. A depository that does not pay a check or  
4 order for payment [~~warrant~~] as required by Section 116.116(a) is  
5 liable for and shall pay to the holder 10 percent of the amount of  
6 the check or order for payment [~~warrant~~], and the commissioners  
7 court shall revoke the order creating the depository.

8 SECTION 27. Subsection (c), Section 118.023, Local  
9 Government Code, is amended to read as follows:

10 (c) In this section, "ex officio services" includes  
11 services in relation to roads, bridges, and ferries; issuing and  
12 taking receipts for jury scrip or county orders for payment  
13 [~~warrants~~]; services in habeas corpus cases; making out bar  
14 dockets; keeping records of trust funds; filing and docketing all  
15 papers for the commissioners court; keeping road overseers' books  
16 and lists of hands; recording all collection returns of delinquent  
17 insolvents; recording county treasurer's reports; recording  
18 reports of justices of the peace; recording reports of animals  
19 slaughtered; and services in connection with elections.

20 SECTION 28. Subsection (c), Section 130.902, Local  
21 Government Code, is amended to read as follows:

22 (c) A change fund may not be used to make loans or advances  
23 or to cash checks or orders for payment [~~warrants~~] of any kind.

24 SECTION 29. Subsection (b), Section 130.905, Local  
25 Government Code, is amended to read as follows:

26 (b) In making payments to support the paupers that the  
27 county is required to support, the commissioners court, with the

1 concurrence of the county auditor, may make one payment to the head  
2 of the county welfare department. The head of the county welfare  
3 department may disburse the money to the paupers on orders for  
4 payment ~~warrants~~ designed by the county auditor. The orders  
5 ~~warrants~~ are subject to audit by the county auditor at any time.  
6 The disbursements must be reported on forms and at times prescribed  
7 by the auditor.

8 SECTION 30. Subsection (c), Section 130.909, Local  
9 Government Code, is amended to read as follows:

10 (c) The petty cash fund may not be used to make loans or  
11 advances or to cash checks or orders for payment ~~warrants~~ of any  
12 kind.

13 SECTION 31. (a) Subsection (b), Article 103.004, Code of  
14 Criminal Procedure, is repealed.

15 (b) The following sections of the Local Government Code are  
16 repealed:

17 (1) Subsections (c), (d), (e), and (f), Section  
18 113.061;

19 (2) Section 113.062; and

20 (3) Section 113.066.

21 SECTION 32. (a) A county treasurer required to execute a  
22 surety bond under Section 83.008, Local Government Code, as added  
23 by this Act, shall execute a surety bond not later than October 1,  
24 2011.

25 (b) The change in law made by Section 83.009, Local  
26 Government Code, as added by this Act, applies to an assistant  
27 treasurer or treasury deputy appointed on or after the effective

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1 date of this Act. An assistant treasurer or treasury deputy  
2 appointed before the effective date of this Act is covered by the  
3 law in effect when the assistant treasurer or treasury deputy was  
4 appointed.

5 SECTION 33. This Act takes effect September 1, 2011.