

**Name of Form:**

Oath of Office.

**Section Reference:**

Article XVI, Section 1, Texas Constitution.

**Purpose:**

To qualify elected or appointed officers to hold office.

**Number of Copies Required:**

One for each elected or appointed official.

**Completed by:**

Elected or appointed officer.

**Filing Date:**

Prior to taking office.

**Filed with:**

Secretary of State for district and state officers.

County Clerk for county and precinct offices.

City Secretary for city officers.

Election records custodian for all other elections.

**Comments:**

Current form is 2007.

# INSTRUCTIONS

## EXECUTION OF THE OATH OF OFFICE

*Pursuant to Tex. Const. art. XVI, § 1 (amended 2001), the Oath of Office **may not** be taken until a signed statement (Statement of Elected/Appointed Officer or Pre-Oath Statement) has been filed with the appropriate filing authority. A Statement required to be filed with the Secretary of State is considered filed once it has been received by this office.*

*Gubernatorial appointees who are appointed during a legislative session **may not** execute their Oath until after confirmation by the Senate. Tex. Const. art. IV, § 12.*

## ADMINISTRATION OF THE OATH OF OFFICE

*The Oath of Office may be administered by anyone authorized under the provisions of Tex. Gov't Code Ann. § 602.002 or § 602.006. Commonly used officials include notaries public and judges.*

*The seal of the person administering the Oath should be visible. If the person is a notary public, Tex. Gov't Code Ann. § 406.013, requires that the seal be affixed in a way "that legibly reproduces the required elements of the seal under photographic methods".*

## FILING OF THE OATH OF OFFICE

*After their Statement of Officer has been properly filed:*

*\* Gubernatorial appointees, appellate and district judges, and district attorneys should file their Oaths of Office with the Secretary of State.*

*\* Directors of districts operating pursuant to Tex. Water Code Ann., Chapters 36 or 49, shall file with the Secretary of State a duplicate original of their Oath of Office within 10 days of its execution.*

*\* Members of the Legislature elected to a **regular** term of office will have their Oath of Office administered in chambers on the opening day of the session and recorded in the appropriate Journal. Members elected to an **unexpired** term of office should file their Oath of Office with either the Chief Clerk of the House or the Secretary of the Senate, as appropriate.*

*\* All other persons should file their Oaths locally. Please check with the county clerk, city secretary or board/commission secretary for the proper filing location.*

*Officers who are required to file their Oath of Office with the Secretary of State should mail them to the Statutory Documents Section, P. O. Box 12887, Austin, Texas 78711-2887.*

**\*\*\* PLEASE DIRECT ANY QUESTIONS REGARDING THE OATH OF OFFICE  
TO THE STATUTORY DOCUMENTS SECTION AT (512) 463-5705. \*\*\***



In the name and by the authority of

# The State of Texas

## OATH OF OFFICE

I, \_\_\_\_\_, do  
solemnly swear (or affirm), that I will faithfully execute the duties of the office of  
\_\_\_\_\_ of  
the State of Texas, and will to the best of my ability preserve, protect, and defend the  
Constitution and laws of the United States and of this State, so help me God.

\_\_\_\_\_  
Affiant

SWORN TO and subscribed before me by affiant on this \_\_\_\_\_ day of  
\_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Signature of Person Administering Oath

(Seal)

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

*See Reverse Side  
for Instructions  
Revised August 1999*