

**Form 2204—General Information
(Oath of Office)**

The attached form is designed to meet minimal constitutional and statutory filing requirements pursuant to the relevant provisions. *This form and the information provided are not substitutes for the advice and services of an attorney.*

Commentary

All state or county officers, other than the governor, lieutenant governor, and members of the legislature, who qualify for office are commissioned by the governor. Tex. Gov't Code § 601.005. The secretary of state performs ministerial duties to administer the commissions issued by the governor, including confirming that officers are qualified prior to being commissioned. Submission of this oath of office to the secretary of state confirms an officer's qualification so that the commission may be issued.

Pursuant to art. XVI, § 1 of the Texas Constitution, the Oath of Office *may not* be taken until a Statement of Officer has been subscribed to and, as required, filed with the secretary of state. (See Form 2201.) Additionally, 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. A Statement of Officer required to be filed with the secretary of state is filed upon receipt by the secretary of state.

The Oath of Office may be administered by anyone authorized under the provisions of Chapter 602 of the Texas Government Code. Commonly used officials include notaries public and judges.

Officers Required to File Oath of Office with the Secretary of State:

- Gubernatorial appointees, appellate and district court judges, and district attorneys should file their Oaths of Office with the secretary of state.
- Directors of districts operating pursuant to chapter 36 or 49 of the Texas Water Code shall file with the secretary of state a duplicate original of their Oath of Office within 10 days of its execution. Tex. Water Code Ann. §§ 36.055(d); 49.055(d).

Officers *Not* Required to File Oath of Office with the Secretary of State:

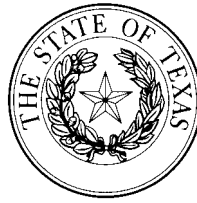
- Members of the Legislature elected to a *regular* term of office will have their Oath of Office administered in chambers on the opening day of the session and recorded in the appropriate Journal. Members elected to an *unexpired* term of office should file their Oath of Office with either the Chief 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.

Delivery Instructions

The oath may be mailed to P.O. Box 13550, Austin, Texas 78711-3550 or delivered to the James Earl Rudder Office Building, 1019 Brazos, Austin, Texas 78701. A commission will be issued and forwarded to an appointed or elected officer following receipt of an executed oath of office.

Revised 06/09

Submit to:
SECRETARY OF STATE
Statutory Documents Section
P O Box 13550
Austin, TX 78711-3550
512-463-6334



OATH OF OFFICE

Filing Fee: None

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,
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.

Signature of Officer

.....
State of _____)
County of _____)

Sworn to and subscribed before me this _____ day of _____, 20 ____.

(seal)

Notary Public Signature