

By: Holland

H.B. No. 1195

Substitute the following for H.B. No. 1195:

By: Gerdes

C.S.H.B. No. 1195

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the authority of certain county and district clerks to
3 obtain and retain information that identifies a person filing a
4 document or requesting services.

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

6 SECTION 1. Section 191.010(b), Local Government Code, is
7 amended to read as follows:

8 (b) A county clerk in a county that allows for electronic
9 filing of documents in the real property records of the county [~~with~~
10 ~~a population of 800,000 or more~~] may require a person presenting a
11 document in person for filing in the real property records [~~of the~~
12 ~~county~~] to present a photo identification to the clerk. The clerk
13 may copy the photo identification or record information from the
14 photo identification. The clerk may not charge a person a fee to
15 copy or record the information from a photo identification.

16 SECTION 2. Section 191.011(b), Local Government Code, is
17 amended to read as follows:

18 (b) A county clerk or district clerk in a county that allows
19 for electronic filing or recording of documents or other
20 instruments [~~with a population of 3.3 million or more~~] may copy or
21 record identifying information, including a document on which the
22 information is viewable, regarding an individual who:

23 (1) presents a document or other instrument for filing
24 or recording to the county clerk or district clerk; or

1 (2) requests or obtains an ex officio service or other
2 public service provided by the county clerk or district clerk.

3 SECTION 3. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2023.