

By: Canales

H.B. No. 4337

A BILL TO BE ENTITLED

AN ACT

relating to the definition of a governmental record.

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

SECTION 1. Section 37.01, Penal Code, is amended to read as follows:

Sec. 37.01. DEFINITIONS. In this chapter:

(1) "Court record" means a decree, judgment, order, subpoena, warrant, minutes, or other document issued by a court of:

(A) this state;

(B) another state;

(C) the United States;

(D) a foreign country recognized by an act of congress or a treaty or other international convention to which the United States is a party;

(E) an Indian tribe recognized by the United States; or

(F) any other jurisdiction, territory, or protectorate entitled to full faith and credit in this state under the United States Constitution.

(2) "Governmental record" means:

(A) anything belonging to, received by, or kept by government for information, including a court record;

(B) anything required by law to be kept by others for information of government;

1 (C) a license, certificate, permit, seal, title,
2 letter of patent, or similar document issued by government, by
3 another state, or by the United States, or any foreign government
4 engaged in a reciprocal treaty or memorandum of understanding with
5 the United States;

6 (D) a standard proof of motor vehicle liability
7 insurance form described by Section 601.081, Transportation Code, a
8 certificate of an insurance company described by Section 601.083 of
9 that code, a document purporting to be such a form or certificate
10 that is not issued by an insurer authorized to write motor vehicle
11 liability insurance in this state, an electronic submission in a
12 form described by Section 502.046(i), Transportation Code, or an
13 evidence of financial responsibility described by Section 601.053
14 of that code;

15 (E) an official ballot or other election record;
16 or

17 (F) the written documentation a mobile food unit
18 is required to obtain under Section 437.0074, Health and Safety
19 Code.

20 (3) "Statement" means any representation of fact.

21 SECTION 2. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this
25 Act takes effect September 1, 2023.