

Amend CSHB 28 (Senate committee printing) by inserting the following new ARTICLE, appropriately numbered, and renumbering the subsequent ARTICLES accordingly:

ARTICLE \_\_\_\_\_. RECORDS MANAGEMENT AND  
PRESERVATION FEE

SECTION \_\_.01. Section 102.005, Code of Criminal Procedure, is amended by amending Subsection (f) and adding Subsections (g)-(j) to read as follows:

(f) A defendant convicted of an offense in a county court, a county court at law, or a district court shall pay a fee of \$20 for records management and preservation services performed by the county as required by Chapter 203, Local Government Code.

(g) Except as provided by Subsection (h), the clerks of the respective courts shall collect the fee required by Subsection (f) and pay it to the county treasurer, or to any other official who discharges the duties commonly delegated to the county treasurer, for deposit in a fund to be known as the county records management and preservation fund.

(h) A district clerk shall collect the fee required by Subsection (f) and pay it to the county treasurer, or to any other official who discharges the duties commonly delegated to the county treasurer, for deposit as follows:

(1) \$15 to the county records management and preservation fund for records management and preservation, including automation, in various county offices; and

(2) \$5 to the district clerk records management and preservation fund for records management and preservation services performed by the district clerk after a document is filed in the records office of the district clerk.

(i) A fund designated by Subsection (g) may be used only to finance items used for specific records management and preservation, including for automation purposes, on approval by the commissioners court of a budget as provided by Chapter 111, Local Government Code.

(j) An expenditure from a records management and preservation fund must comply with Subchapter C, Chapter 262, Local Government Code [The fee shall be collected and distributed by the clerk of the court in the same manner as fees are collected and distributed under Section 51.317(c), Government Code. The fee received by a county shall be placed in a special fund to be called the records management and preservation fund. The fee shall be used only for records management and preservation purposes in the county as required by Chapter 203, Local Government Code. No expenditures may be made from this fund without prior approval of the commissioners court].

SECTION \_\_.02. This article takes effect February 1, 2004.