

## **BILL ANALYSIS**

S.B. 1731  
By: Gallegos  
County Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, a number of county records are deteriorating and are in need of preservation. Counties adjacent to an international boundary have the ability to charge a records archive fee not to exceed \$5 for the filing of public documents in county clerks offices. As proposed, S.B. 1731 provides for a fee not to exceed \$5 to be imposed for filing public documents in county clerk offices in any county for the purpose of preserving, restoring, and managing county records.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

SECTION 1. Amends Section 118.011(e), Local Government Code, as added by Chapter 794, Acts of the 77th Legislature, Regular Session, 2001, to delete the modifier "adjacent to an international boundary" when referencing counties in which the county clerk is required, if the commissioners court of the county adopts the fee as part of the county's annual budget, to collect a \$5 records archive fee from any person.

SECTION 2. Amends the heading to Section 118.025, Local Government Code, to read as follows:  
Sec. 118.025. COUNTY CLERK'S RECORDS ARCHIVE

SECTION 3. Amends Section 118.025(b), Local Government Code, to make a conforming change.

SECTION 4. Effective date: September 1, 2003.

### **EFFECTIVE DATE**

This Act takes effect immediately if it receives a vote of two-thirds of all members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2003.