

By: Hinojosa

S.B. No. 453

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the fee charged by a county clerk for providing copies  
3 of certain documents in electronic form.

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

5 SECTION 1. Section 118.011(a), Local Government Code, is  
6 amended to read as follows:

7 (a) A county clerk shall collect the following fees for  
8 services rendered to any person:

9 (1) Personal Property Records Filing (Sec. 118.012)  
10 . . . \$2.00

11 (2) Real Property Records Filing (Sec. 118.013):  
12 for the first page . . . \$3.00  
13 for each additional page or part of a page on which  
14 there are visible marks of any kind . . . \$2.00

15 for all or part of each 8-1/2" X 14" attachment or  
16 rider . . . \$2.00

17 for each name in excess of five names that has to be  
18 indexed in all records in which the document must be  
19 indexed . . . \$0.25

20 (3) Certified Papers (Sec. 118.014):  
21 for the clerk's certificate . . . \$5.00  
22 plus a fee for each page or part of a page . . . \$1.00

23 (4) Noncertified Papers (Sec. 118.0145):  
24 for each page or part of a page provided in paper,

1 electronic, or other format . . . \$1.00

2 (5) Birth or Death Certificate (Sec. 118.015) . . .  
3 same as state registrar

4 (6) Bond Approval (Sec. 118.016) . . . \$3.00

5 (7) Marriage License (Sec. 118.018) . . . \$30.00

6 (8) Declaration of Informal Marriage (Sec.  
7 118.019) . . . \$25.00

8 (9) Brand Registration (Sec. 118.020) . . . \$5.00

9 (10) Oath Administration (Sec. 118.021) . . . \$1.00

10 SECTION 2. Section 118.011(e), Local Government Code, as  
11 added by Chapter 1155, Acts of the 77th Legislature, Regular  
12 Session, 2001, is amended as follows:

13 (e) Except as provided by Subsection (a)(4) of this section  
14 and Section 118.052(3)(C), a [A] county clerk who provides a copy in  
15 a format other than paper of a record maintained by the clerk shall  
16 provide the copy and charge a fee in accordance with Sections  
17 552.231 and 552.262, Government Code.

18 SECTION 3. Section 118.052, Local Government Code, is  
19 amended to read as follows:

20 Sec. 118.052. FEE SCHEDULE. Each clerk of a county court  
21 shall collect the following fees for services rendered to any  
22 person:

23 (1) CIVIL COURT ACTIONS

24 (A) Filing of Original Action (Sec. 118.053):

25 (i) Garnishment after judgment . . . \$15.00

26 (ii) All others . . . \$40.00

27 (B) Filing of Action Other than Original (Sec.

1 118.054) . . . \$30.00

2 (C) Services Rendered After Judgment in Original  
3 Action (Sec. 118.0545):

4 (i) Abstract of judgment . . . \$5.00

5 (ii) Execution, order of sale, writ, or  
6 other process . . . \$5.00

7 (2) PROBATE COURT ACTIONS

8 (A) Probate Original Action (Sec. 118.055):

9 (i) Probate of a will with independent  
10 executor, administration with will attached, administration of an  
11 estate, guardianship or receivership of an estate, or muniment of  
12 title . . . \$40.00

13 (ii) Community survivors . . . \$40.00

14 (iii) Small estates . . . \$40.00

15 (iv) Declarations of heirship . . . \$40.00

16 (v) Mental health or chemical dependency  
17 services . . . \$40.00

18 (vi) Additional, special fee (Sec.  
19 118.064) . . . \$5.00

20 (B) Services in Pending Probate Action (Sec.  
21 118.056):

22 (i) Filing an inventory and appraisalment  
23 after the 120th day after the date of the initial filing of the  
24 action . . . \$25.00

25 (ii) Approving and recording bond . . .  
26 \$3.00

27 (iii) Administering oath . . . \$2.00

- 1 (iv) Filing annual or final account of  
2 estate . . . \$25.00
- 3 (v) Filing application for sale of real or  
4 personal property . . . \$25.00
- 5 (vi) Filing annual or final report of  
6 guardian of a person . . . \$10.00
- 7 (C) Adverse Probate Action (Sec. 118.057)  
8 . . . \$40.00
- 9 (D) Claim Against Estate (Sec. 118.058)  
10 . . . \$2.00
- 11 (3) OTHER FEES
- 12 (A) Issuing Document (Sec. 118.059):  
13 original document and one copy . . . \$4.00  
14 each additional set of an original and one  
15 copy . . . \$4.00
- 16 (B) Certified Papers (Sec. 118.060):  
17 for the clerk's certificate . . . \$5.00  
18 plus a fee per page or part of a page  
19 of . . . \$1.00
- 20 (C) Noncertified Papers (Sec. 118.0605):  
21 for each page or part of a page provided in paper,  
22 electronic, or other format . . . \$1.00
- 23 (D) Letters Testamentary, Letter of  
24 Guardianship, Letter of Administration, or Abstract of Judgment  
25 (Sec. 118.061) . . . \$2.00
- 26 (E) Safekeeping of Wills (Sec.  
27 118.062) . . . \$5.00

1 same as

2 (F) Mail Service of Process (Sec.  
3 118.063) . . . sheriff

4 (G) Records Management and Preservation  
5 Fee . . . \$5.00

6 SECTION 4. (a) This Act takes effect September 1, 2003.

7 (b) The change in law made by this Act applies only to a copy  
8 of a document the request for which is made on or after September 1,  
9 2003.