

## **BILL ANALYSIS**

C.S.H.B. 1884  
By: Van Arsdale  
Judiciary  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Currently county district clerks must use scarce resources to meet the demand for efficiency in managing records and upgrade technology to better serve the public. This bill establishes a dedicated fee, paid on criminal convictions, to assist in improving records management and enhance the technological capabilities of the office of the district clerk.

### **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**

The bill increases the fee for records management and preservation on conviction of a defendant in the Code of Criminal Procedure and the Government Code from \$20 to \$25. The bill directs \$22.50 of the fee to be deposited by the county treasurer to the county records management and preservation fund, and \$2.50 to the records management and preservation fund of the clerk of the court for the services performed when filings specified by Section 51.317 of the Government Code are made.

The bill deletes the requirement in Article 102.005(f) of the Code of Criminal Procedure that the commissioners court give prior approval to all expenditures from the records management and preservation fund.

The \$25 fee is restricted to use for records management and preservation, including automation, and must comply with the County Purchasing Act, Chapter 262, Local Government Code.

### **EFFECTIVE DATE**

September 1, 2005

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The substitute eliminates confusing language in the originally proposed amendment to Article 102.005(f)(2), Code of Criminal Procedure. The substitute also lowers the fee from \$30 in the original to \$25 and cuts the portion retained by the clerk of the court to \$2.50.