

BILL ANALYSIS

S.B. 526
By: Hinojosa
County Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The 77th Legislature, Regular Session, 2001, amended Chapter 118, Local Government Code, to authorize the commissioners court of a county adjacent to an international border to adopt a records archive fee of not more than \$5 for the preservation, restoration, and maintenance of certain county records in the care of the county clerk. The 78th Legislature, Regular Session, 2003, amended Chapter 118 to allow all counties to adopt a records archive fee. As proposed, S.B. 526 directs the county clerk to designate the public documents that are part of the records archive, subject to the approval of the commissioners court. S.B. 526 also removes the sunset provision related to the records archive fee in Sections 118.011(g) and 118.025(k), Local Government Code.

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 118.025(e), Local Government Code, to require the county clerk to designate the public documents that are part of the records archive for purposes of this section. Provides that the designation of public documents by the county clerk under this subsection is subject to approval by the commissioners court in a public meeting.

SECTION 2. Repealer: Sections 118.011(g) (Fee Schedule) and 118.025(a)(4) and (k), (County Clerks Records Archive), Local Government Code.

SECTION 3. Effective date

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2005.