

By: Martinez

H.B. No. 3311

A BILL TO BE ENTITLED

AN ACT

relating to fees imposed by certain counties for documents provided by the county clerk.

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

SECTION 1. Section 191.0045, Health and Safety Code, is amended by amending Subsection (d) and adding Subsection (i) to read as follows:

(d) A local registrar or county clerk who issues a certified copy of a birth or death certificate shall charge the same fees as charged by the bureau of vital statistics, including the additional fee required under Subsection (e), except as provided by Subsections (g), ~~and~~ (h), and (i).

(i) A county clerk in a county with a population of 570,000 or more and any part of which is located within the Lower Rio Grande Valley adjacent to an international border may charge a fee for the issuance of a certified copy of a birth certificate or death certificate that exceeds the fee charged by the bureau of vital statistics for the same type of certificate. A fee charged under this subsection may not exceed:

(1) for a birth certificate, \$2 more than the fee charged by the bureau of vital statistics; and

(2) for a death certificate, \$4 more than the fee charged by the bureau of vital statistics.

SECTION 2. Section 118.011, Local Government Code, is

amended by adding Subsections (g) and (h) to read as follows:

(g) Notwithstanding Subsection (a), a county clerk in a county with a population of 570,000 or more and any part of which is located within the Lower Rio Grande Valley adjacent to an international border may collect the following fees for services rendered to any person:

(1) Birth or Death Certificate (Sec. 118.015) an amount that does not exceed the amount provided by Section 191.0045(i), Health and Safety Code.

(2) Marriage License (Sec. 118.018) \$33.00

(3) Declaration of Informal Marriage (Sec. 118.019) \$28.00

(h) A county that collects a fee under Subsection (g) shall designate:

(1) \$2 of the fee for a birth certificate for the county to use in providing:

(A) child abuse services; and

(B) health care for indigent children with cancer;

(2) \$4 of the fee for a death certificate for the county to use in providing burial services of indigent persons; and

(3) \$3 of the fee for a marriage license or declaration of informal marriage for the county to use in providing domestic violence and child abuse services.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this

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- 1 Act does not receive the vote necessary for immediate effect, this
- 2 Act takes effect September 1, 2007.