

By: Harris

S.B. No. 229

Substitute the following for S.B. No. 229:

By: Gonzales

C.S.S.B. No. 229

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the seal of a district court and the signature of the
3 district clerk used on process issued by the court.

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

5 SECTION 1. The heading to Section 51.301, Government Code,
6 is amended to read as follows:

7 Sec. 51.301. VACANCY; BOND; SEAL; SIGNATURE OF CLERK.

8 SECTION 2. Section 51.301, Government Code, is amended by
9 amending Subsection (d) and adding Subsections (e) and (f) to read
10 as follows:

11 (d) Each district clerk shall be provided with a seal for
12 the district court. The seal must have a five-pointed star and must
13 be engraved with the words "District Court of _____ County,
14 Texas." The seal shall be impressed on all process issued by the
15 court except subpoenas and shall be kept and used by the clerk to
16 authenticate official acts. The seal may be created using an
17 electronic means, including by using an optical disk or another
18 electronic reproduction technique, if the means by which the seal
19 is impressed on an original document created using the same type of
20 electronic means does not allow for changes, additions, or
21 deletions to be made to the document.

22 (e) The signature of the district clerk may be affixed on an
23 original document using electronic means, provided that the means
24 by which the signature is affixed meets the requirements of

1 Subsection (d) with respect to creating a seal by electronic means.

2 (f) A seal impressed or a signature affixed by electronic
3 means may be delivered or transmitted electronically.

4 SECTION 3. Section 51.301, Government Code, as amended by
5 this Act, applies to a process, other than a subpoena, issued by a
6 district court on or after the effective date of this Act. A
7 process issued by a district court before the effective date of this
8 Act is governed by the law in effect on the date the process was
9 issued, and the former law is continued in effect for that purpose.

10 SECTION 4. This Act takes effect September 1, 2007.