

Amend SB 1259 as follows:

(1) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS accordingly:

SECTION \_\_\_\_\_. Article 2.21, Code of Criminal Procedure, is amended by amending Subsection (a) and adding Subsection (k) to read as follows:

(a) In a criminal proceeding, a clerk of the district or county court shall:

(1) receive and file all papers;

(2) receive all exhibits at the conclusion of the proceeding;

(3) issue all process; ~~and~~

(4) accept and file electronic documents received from the defendant, if the clerk accepts electronic documents from an attorney representing the state;

(5) accept and file digital multimedia evidence received from the defendant, if the clerk accepts digital multimedia evidence from an attorney representing the state; and

(6) perform all other duties imposed on the clerk by law.

(k) In this article, "digital multimedia evidence" means evidence stored or transmitted in a binary form, and includes data representing documents, audio, video metadata, and any other information attached to a digital file.

SECTION \_\_\_\_\_. Subchapter B, Chapter 51, Government Code, is amended by adding Section 51.1045 to read as follows:

Sec. 51.1045. ELECTRONIC DOCUMENTS AND DIGITAL MULTIMEDIA EVIDENCE. (a) In this section, "digital multimedia evidence" has the meaning assigned by Article 2.21, Code of Criminal Procedure.

(b) The clerk of the court of criminal appeals may accept electronic documents and digital multimedia evidence received from a defendant, an applicant for a writ of habeas corpus, the clerk of the convicting court, a court reporter, or an attorney representing the state.

SECTION \_\_\_\_\_. Section 51.105(a), Government Code, is amended to read as follows:

(a) In the performance of the duties imposed by Section

51.104, the clerk of the court of criminal appeals may maintain writs and other records and documents in an electronic storage format or on microfilm. A record or document stored electronically or on microfilm in accordance with this section is considered an original record or document. If the clerk [~~electronically~~] stores writs, records, or documents electronically or on microfilm, the clerk may destroy the originals or copies of the writs, records, or documents according to the retention policy described by Subsection (b).

(2) Strike SECTION 3 of the bill and substitute the following appropriately numbered SECTION:

SECTION \_\_\_\_\_. Sections 51.0045 and 51.205, Government Code, as added by this Act, and Section 51.105, Government Code, as amended by this Act, apply to a record or document maintained by the clerk of the Texas Supreme Court, the clerk of the Texas Court of Criminal Appeals, or the clerk of a court of appeals, as applicable, regardless of whether the record or document was received by the clerk before, on, or after the effective date of this Act.