

BILL ANALYSIS

C.S.H.B. 3601
By: Paxton
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently the county clerk of each county must post various legal and official notices as physical documents on a bulletin board which is accessible for public viewing. As county government moves closer to paperless programs, such as e-filing programs, county clerks across Texas need an efficient use of technology to comply with their duties.

C.S.H.B. 3601 gives the county clerk's office the option of posting official and legal notices, as required by law, by electronic display.

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

C.S.H.B. 3601 amends the Local Government Code to authorize a county clerk to post an official and legal notice by electronic display instead of posting a physical document. The bill requires an electronic display of information posted by the use of an electronic kiosk, electronic bulletin board, or other similar device designed to provide readily accessible information to meet the location, time, and accessibility requirements provided by law for the posting of the notice. The bill requires an electronic display of posted information on a county's Internet website to meet the time requirements provided by law for the posting of the notice. The bill defines "electronic display" to include a display by the use of an electronic kiosk, electronic bulletin board, or other similar device designed to provide readily accessible information or on a county's public Internet website.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 3601 adds a provision not in the original to include the county's Internet website in the definition of "electronic display" and to require an electronic display of posted information on a county's Internet website to meet the time requirements provided by law for the posting of the notice. The substitute differs from the original in nonsubstantive ways by using language reflective of certain bill drafting conventions.