

1 AN ACT

2 relating to the authority of a county clerk to post official and
3 legal notices by electronic display.

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

5 SECTION 1. Sections 82.001, 82.002, 82.003, 82.004, and
6 82.005, Local Government Code, are designated as Subchapter A,
7 Chapter 82, Local Government Code, and a heading is added to
8 Subchapter A to read as follows:

9 SUBCHAPTER A. GENERAL PROVISIONS

10 SECTION 2. Chapter 82, Local Government Code, is amended by
11 adding Subchapter B to read as follows:

12 SUBCHAPTER B. MISCELLANEOUS POWERS AND DUTIES

13 Sec. 82.051. ELECTRONIC DISPLAY OF OFFICIAL AND LEGAL
14 NOTICES BY COUNTY CLERK. (a) In this section, "electronic display"
15 includes a display:

16 (1) by the use of an electronic kiosk, electronic
17 bulletin board, or other similar device designed to provide readily
18 accessible information; or

19 (2) on a county's public Internet website.

20 (b) A county clerk may post an official and legal notice by
21 electronic display instead of posting a physical document. An
22 electronic display of information posted under this section using a
23 device described by Subsection (a)(1) must meet the location, time,
24 and accessibility requirements provided by law for the posting of

1 the notice. An electronic display of information posted under this
2 section on a county's public Internet website must meet the time
3 requirements provided by law for the posting of the notice.

4 SECTION 3. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2009.

President of the Senate

Speaker of the House

I certify that H.B. No. 3601 was passed by the House on May 14, 2009, by the following vote: Yeas 146, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3601 was passed by the Senate on May 27, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor