

By: Paxton

H.B. No. 3601

Substitute the following for H.B. No. 3601:

By: Berman

C.S.H.B. No. 3601

A BILL TO BE ENTITLED

AN ACT

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

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

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

SUBCHAPTER A. GENERAL PROVISIONS

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

SUBCHAPTER B. MISCELLANEOUS POWERS AND DUTIES

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

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

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

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