

1-1 By: Paxton (Senate Sponsor - Hegar) H.B. No. 3601  
1-2 (In the Senate - Received from the House May 15, 2009;  
1-3 May 18, 2009, read first time and referred to Committee on  
1-4 Jurisprudence; May 23, 2009, reported favorably by the following  
1-5 vote: Yeas 5, Nays 0; May 23, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the authority of a county clerk to post official and  
1-9 legal notices by electronic display.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Sections 82.001, 82.002, 82.003, 82.004, and  
1-12 82.005, Local Government Code, are designated as Subchapter A,  
1-13 Chapter 82, Local Government Code, and a heading is added to  
1-14 Subchapter A to read as follows:

1-15 SUBCHAPTER A. GENERAL PROVISIONS

1-16 SECTION 2. Chapter 82, Local Government Code, is amended by  
1-17 adding Subchapter B to read as follows:

1-18 SUBCHAPTER B. MISCELLANEOUS POWERS AND DUTIES

1-19 Sec. 82.051. ELECTRONIC DISPLAY OF OFFICIAL AND LEGAL  
1-20 NOTICES BY COUNTY CLERK. (a) In this section, "electronic display"  
1-21 includes a display:

1-22 (1) by the use of an electronic kiosk, electronic  
1-23 bulletin board, or other similar device designed to provide readily  
1-24 accessible information; or

1-25 (2) on a county's public Internet website.

1-26 (b) A county clerk may post an official and legal notice by  
1-27 electronic display instead of posting a physical document. An  
1-28 electronic display of information posted under this section using a  
1-29 device described by Subsection (a)(1) must meet the location, time,  
1-30 and accessibility requirements provided by law for the posting of  
1-31 the notice. An electronic display of information posted under this  
1-32 section on a county's public Internet website must meet the time  
1-33 requirements provided by law for the posting of the notice.

1-34 SECTION 3. This Act takes effect immediately if it receives  
1-35 a vote of two-thirds of all the members elected to each house, as  
1-36 provided by Section 39, Article III, Texas Constitution. If this  
1-37 Act does not receive the vote necessary for immediate effect, this  
1-38 Act takes effect September 1, 2009.

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