

BILL ANALYSIS

C.S.H.B. 627
By: Woolley
Judiciary & Civil Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Current law establishes fee parameters that a district clerk charges for providing document copies, issuing bonds and subpoenas, and performing other district clerk actions. A district clerk is currently permitted to charge a fee of \$1 for each page or part of a page of a certified paper copy but does not charge a fee for an electronic certified copy even though clerk resources are used for electronic certified copies. C.S.H.B. 627 permits a district clerk to charge a fee not to exceed \$1 for a page or part of a page of a certified copy.

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. 627 amends the Government Code to change from \$1 to an amount not to exceed \$1 the fee for each page or part of a page of a certified copy made of a record, judgment, order, pleading, or paper on file or of record in the district clerk's office, including certificate and seal. The bill makes a conforming change.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 627 omits a provision included in the original establishing a fee not to exceed \$1 for each page or part of a page of an electronic certified copy made of a record, judgment, order, pleading, or paper on file or of record in the district clerk's office, including certificate and seal. The substitute omits a provision included in the original requiring the fee for a copy of each page of one of these documents to be collected by the district clerk. The substitute differs from the original by specifying that the amount of the fee for each page or part of a page of a certified copy of certain documents may not exceed \$1, whereas the original sets the fee at \$1. The substitute contains a provision not included in the original to make a conforming change in provisions setting out district court fees and costs.