

## **BILL ANALYSIS**

Senate Research Center  
82R2304 PMO-D

S.B. 680  
By: Gallegos  
Jurisprudence  
3/1/2011  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

During strained economic times for counties across the state, the use of online services provided by the district clerk reduces the cost of labor, decreases the workload on current staff during a time when counties are unable to hire, and provides an easier and less expensive method for customers to obtain certified copies.

The district clerk is responsible for collecting fees related to certified copies for court documents under Chapter 51 (Clerks), Government Code. Currently, the statute requires the clerk to charge \$1.00 per page for any certified copy obtained. There is no flexibility under current statute to charge less than \$1.00 per page for a certified copy even if the copy is obtained electronically.

As proposed, S.B. 680 amends current law relating to a fee collected by a district clerk for certain electronic certified copies.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 51.318(b), Government Code, to include among certain fees, a fee, notwithstanding Section 51.3195, for an electronic certified copy of a record, judgment, order, pleading, or paper on file or of record in the district's clerk's office, including certificate and seal, for each page or part of a page, in a list of certain fees for services performed or requested, not to exceed \$1.

SECTION 2. Amends Subchapter D, Chapter 101, Government Code, by adding Section 101.06118, as follows:

Sec. 101.06118. **ADDITIONAL DISTRICT COURT FEES: GOVERNMENT CODE.**  
Requires the clerk of a district court to collect for an electronic certified copy of a record, judgment, order, pleading, or paper on file or of record in the district clerk's office, including certificate and seal, a fee not to exceed \$1 for each page or part of a page under Section 51.318, Government Code.

SECTION 3. Makes application of Section 51.318(b), Government Code, as amended by this Act, prospective.

SECTION 4. Effective date: upon passage or September 1, 2011.