

BILL ANALYSIS

S.B. 886
By: Carona
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

County clerks maintain a docket relating to execution of judgments. Currently, information must be entered into such dockets manually, which is inefficient and expensive. S.B. 886 allows information to be entered into an execution docket electronically.

As proposed, S.B. 886 amends current law relating to the execution docket and other records of certain court clerks.

RULEMAKING AUTHORITY

Rulemaking authority is expressly prohibited to the Supreme Court of Texas in SECTION 1 (Section 30.018, Civil Practices and Remedies Code) of this bill.

ANALYSIS

SECTION 1. Amends Chapter 30, Civil Practices and Remedies Code, by adding Section 30.018, as follows:

Sec. 30.018. COURT CLERK'S EXECUTION DOCKET. (a) Authorizes the clerk of a court who is required to enter information into an execution docket under the Texas Rules of Civil Procedures or other law to enter and maintain the information in an electronic format that allows the information to be retrieved on the same basis as information would be retrieved manually using an index or cross-index to the docket that is otherwise required by law.

(b) Prohibits the Supreme Court of Texas, notwithstanding Section 22.004 (Rules of Civil Procedure), Government Code, from amending or adopting rules in conflict with this section.

SECTION 2. Amends Section 34.03(c), Tax Code, to authorize any local government record data to be stored electronically in addition to or instead of source documents in paper or other media.

EFFECTIVE DATE

September 1, 2011.