

By: Gallegos

S.B. No. 680

A BILL TO BE ENTITLED

AN ACT

relating to a fee collected by a district clerk for certain electronic certified copies.

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

SECTION 1. Section 51.318(b), Government Code, is amended to read as follows:

(b) The fees are:

(1) for issuing a subpoena, including one copy . . . \$8

(2) for issuing a citation, commission for deposition, writ of execution, order of sale, writ of execution and order of sale, writ of injunction, writ of garnishment, writ of attachment, or writ of sequestration not provided for in Section 51.317, or any other writ or process not otherwise provided for, including one copy if required by law \$8

(3) for searching files or records to locate a cause when the docket number is not provided \$5

(4) for searching files or records to ascertain the existence of an instrument or record in the district clerk's office \$5

(5) for abstracting a judgment \$8

(6) for approving a bond \$4

(7) for a 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, for each page or part of a

1 page \$1
 2 (8) for a noncertified copy, for each page or part of a
 3 page not to exceed \$1
 4 (9) notwithstanding Section 51.3195, for an
 5 electronic certified copy of a record, judgment, order, pleading,
 6 or paper on file or of record in the district clerk's office,
 7 including certificate and seal, for each page or part of a
 8 page not to exceed \$1.

9 SECTION 2. Subchapter D, Chapter 101, Government Code, is
 10 amended by adding Section 101.06118 to read as follows:

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

17 SECTION 3. Section 51.318(b), Government Code, as amended
 18 by this Act, applies only to a request for an electronic certified
 19 copy of a record, judgment, order, pleading, or paper on file or of
 20 record in the district clerk's office, including certificate and
 21 seal, made on or after the effective date of this Act. A request
 22 made before the effective date of this Act is covered by the law in
 23 effect when the request was made, and the former law is continued in
 24 effect for that purpose.

25 SECTION 4. This Act takes effect immediately if it receives
 26 a vote of two-thirds of all the members elected to each house, as
 27 provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2011.