

By: Hegar

S.B. No. 1228

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the duties of district clerks regarding certain
3 electronic filing systems.

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

5 SECTION 1. Article 2.21, Code of Criminal Procedure, is
6 amended by adding Subsection (a-1) to read as follows:

7 (a-1) A district clerk is exempt from the requirements of
8 Subsections (a)(4) and (5) if the electronic filing system used by
9 the clerk for accepting electronic documents or electronic digital
10 media from an attorney representing the state does not have the
11 capability of accepting electronic filings from a defendant and the
12 system was established or procured before June 1, 2009. If the
13 electronic filing system described by this subsection is
14 substantially upgraded or is replaced with a new system, the
15 exemption provided by this subsection is no longer applicable.

16 SECTION 2. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2011.