

By: Hegar  
(Jackson)

S.B. No. 1228

A BILL TO BE ENTITLED

AN ACT

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

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

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

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exemption provided by this subsection is no longer applicable.

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