

1-1 By: Hegar S.B. No. 1228
1-2 (In the Senate - Filed March 7, 2011; March 16, 2011, read
1-3 first time and referred to Committee on Jurisprudence;
1-4 March 30, 2011, reported favorably by the following vote: Yeas 7,
1-5 Nays 0; March 30, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the duties of district clerks regarding certain
1-9 electronic filing systems.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Article 2.21, Code of Criminal Procedure, is
1-12 amended by adding Subsection (a-1) to read as follows:

1-13 (a-1) A district clerk is exempt from the requirements of
1-14 Subsections (a)(4) and (5) if the electronic filing system used by
1-15 the clerk for accepting electronic documents or electronic digital
1-16 media from an attorney representing the state does not have the
1-17 capability of accepting electronic filings from a defendant and the
1-18 system was established or procured before June 1, 2009. If the
1-19 electronic filing system described by this subsection is
1-20 substantially upgraded or is replaced with a new system, the
1-21 exemption provided by this subsection is no longer applicable.

1-22 SECTION 2. This Act takes effect immediately if it receives
1-23 a vote of two-thirds of all the members elected to each house, as
1-24 provided by Section 39, Article III, Texas Constitution. If this
1-25 Act does not receive the vote necessary for immediate effect, this
1-26 Act takes effect September 1, 2011.

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