

BILL ANALYSIS

C.S.H.B. 349
By: Canales
Judiciary & Civil Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties assert that filing physical documents in court cases is both time-consuming and environmentally wasteful and burdens district clerks with large amounts of paperwork. An order of the Texas Supreme Court mandates electronic filing, or e-filing, in civil cases by 2016, but there is concern that the transition to e-filing for criminal cases has lagged behind because implementing such a system is up to the discretion of each court. Interested parties observe that Hidalgo County is one area of the state in which parties in a criminal case are unable to e-file court documents. C.S.H.B. 349 seeks to save Hidalgo County money and establish a model for criminal court systems in other counties to follow by providing for electronic filing in criminal cases before Hidalgo County district courts.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 349 amends the Government Code to authorize a party in a criminal case before the 92nd, 93rd, 139th, 206th, 275th, 332nd, 370th, 389th, 398th, 430th, or 449th District Court in Hidalgo County to electronically file any required court document. The bill requires those courts to implement the statewide electronic court filing system to assist a party in electronic filing.

EFFECTIVE DATE

September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 349 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 24.194, Government Code, is amended by adding Subsection (d) to read as follows:

(d) A party in a criminal case before the court may electronically file any required court document.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 24.194, Government Code, is amended by adding Subsection (d) to read as follows:

(d) A party in a criminal case before the court may electronically file any required court document. The court shall implement the statewide electronic court filing system to assist a party in electronic filing.

SECTION 2. Section 24.195, Government Code, is amended by adding Subsection (d) to read as follows:

(d) A party in a criminal case before the court may electronically file any required court document.

SECTION 3. Section 24.241, Government Code, is amended by adding Subsection (d) to read as follows:

(d) A party in a criminal case before the court may electronically file any required court document.

SECTION 4. Section 24.385, Government Code, is amended by adding Subsection (b) to read as follows:

(b) A party in a criminal case before the court may electronically file any required court document.

SECTION 5. Section 24.452, Government Code, is amended by adding Subsection (b) to read as follows:

(b) A party in a criminal case before the court may electronically file any required court document.

SECTION 6. Section 24.478, Government Code, is amended by adding Subsection (b) to read as follows:

(b) A party in a criminal case before the court may electronically file any required court document.

SECTION 7. Section 24.515, Government Code, is amended by adding Subsection (b) to read as follows:

SECTION 2. Section 24.195, Government Code, is amended by adding Subsection (d) to read as follows:

(d) A party in a criminal case before the court may electronically file any required court document. The court shall implement the statewide electronic court filing system to assist a party in electronic filing.

SECTION 3. Section 24.241, Government Code, is amended by adding Subsection (d) to read as follows:

(d) A party in a criminal case before the court may electronically file any required court document. The court shall implement the statewide electronic court filing system to assist a party in electronic filing.

SECTION 4. Section 24.385, Government Code, is amended by adding Subsection (b) to read as follows:

(b) A party in a criminal case before the court may electronically file any required court document. The court shall implement the statewide electronic court filing system to assist a party in electronic filing.

SECTION 5. Section 24.452, Government Code, is amended by adding Subsection (b) to read as follows:

(b) A party in a criminal case before the court may electronically file any required court document. The court shall implement the statewide electronic court filing system to assist a party in electronic filing.

SECTION 6. Section 24.478, Government Code, is amended by adding Subsection (b) to read as follows:

(b) A party in a criminal case before the court may electronically file any required court document. The court shall implement the statewide electronic court filing system to assist a party in electronic filing.

SECTION 7. Section 24.515, Government Code, is amended by adding Subsection (b) to read as follows:

(b) A party in a criminal case before the court may electronically file any required court document.

SECTION 8. Section 24.534, Government Code, is amended by adding Subsection (b) to read as follows:

(b) A party in a criminal case before the court may electronically file any required court document.

SECTION 9. Section 24.543, Government Code, is amended by adding Subsection (b) to read as follows:

(b) A party in a criminal case before the court may electronically file any required court document.

SECTION 10. Section 24.574, Government Code, is amended by adding Subsection (c) to read as follows:

(c) A party in a criminal case before the court may electronically file any required court document.

SECTION 11. Section 24.593, Government Code, is amended by adding Subsection (c) to read as follows:

(c) A party in a criminal case before the court may electronically file any required court document.

SECTION 12. This Act takes effect September 1, 2015.

(b) A party in a criminal case before the court may electronically file any required court document. The court shall implement the statewide electronic court filing system to assist a party in electronic filing.

SECTION 8. Section 24.534, Government Code, is amended by adding Subsection (b) to read as follows:

(b) A party in a criminal case before the court may electronically file any required court document. The court shall implement the statewide electronic court filing system to assist a party in electronic filing.

SECTION 9. Section 24.543, Government Code, is amended by adding Subsection (b) to read as follows:

(b) A party in a criminal case before the court may electronically file any required court document. The court shall implement the statewide electronic court filing system to assist a party in electronic filing.

SECTION 10. Section 24.574, Government Code, is amended by adding Subsection (c) to read as follows:

(c) A party in a criminal case before the court may electronically file any required court document. The court shall implement the statewide electronic court filing system to assist a party in electronic filing.

SECTION 11. Section 24.593, Government Code, is amended by adding Subsection (c) to read as follows:

(c) A party in a criminal case before the court may electronically file any required court document. The court shall implement the statewide electronic court filing system to assist a party in electronic filing.

SECTION 12. Same as introduced version.