

BILL ANALYSIS

H.B. 1626
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that current technology provides a number of methods for exchanging official documents and express concern that it is increasingly common for a document received by a county clerk for filing or recording to contain print that was reduced so significantly that the document is no longer readable or reproducible. The parties also are concerned that a document scanned into a recording system may lose more than one-fourth of an inch at each margin, which is problematic for a clerk who attempts to insert the required recording information at the top of an e-recorded document and the stamp indicating where a document is filed at the foot of such a document.

H.B. 1626 seeks to ensure that documents recorded in the official public records are recorded and archived in a manner that will be readable by the public in the future and to ensure that there is sufficient room for recording required information on a document that has been submitted to a county clerk for filing or recording.

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

H.B. 1626 amends the Local Government Code to increase from eight-point to 12-point type the minimum type size of a page from a legal paper presented to a county clerk for filing or recording, to include an electronic process among the other specified methods used by the county clerk to reproduce a readable record of such a page, and to specify minimum size requirements for the page margins. The bill authorizes a county clerk to refuse to record a legal paper executed or prepared for filing or recording that the clerk determines is not suitable for reproduction, unless the legal paper cannot be replicated to comply with the specifications required for such documents.

EFFECTIVE DATE

January 1, 2014.