

By: Miller of Comal

H.B. No. 1626

A BILL TO BE ENTITLED

AN ACT

relating to specifications for legal papers filed with a county clerk.

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

SECTION 1. Section 191.007, Local Government Code, is amended by amending Subsections (b) and (k) and adding Subsection (l) to read as follows:

(b) A page is considered to be one side of a sheet of paper.

A page must:

(1) be no wider than 8-1/2 inches and no longer than 14 inches;

(2) have a sufficient weight and substance so that printing, typing, or handwriting on it will not smear or bleed through; ~~and~~

(3) be printed in type not smaller than 12-point ~~[eight-point]~~ type and be suitable otherwise for reproducing from it a readable record by a photocopy or photostatic, ~~[or]~~ microphotographic, or electronic process used in the office of the county clerk;

(4) have a side margin of at least one inch on each side of the page; and

(5) have a top margin of at least three inches on the first page and a bottom margin of at least three inches on the last page of the legal paper for the county clerk to stamp, affix, or

1 otherwise record required information.

2 (k) [~~This section does not authorize a county clerk to~~
3 ~~refuse to record a legal paper for the reason that it fails to meet~~
4 ~~one or more of the requirements prescribed by Subsections (b)~~
5 ~~through (g).~~] Failure to comply with the requirements prescribed
6 by Subsections (b) through (g) [~~these requirements~~] shall not in
7 any manner alter, amend, impair, or invalidate any document or
8 legal instrument of any type or character and upon recordation by
9 the county clerk the document or legal instrument shall be deemed
10 and considered as fully complying with the provisions of law
11 dealing with the recordation of documents or legal instruments of
12 every type and character.

13 (l) A county clerk may refuse to record a legal paper
14 executed or prepared for filing or recording that the clerk
15 determines is not suitable for reproduction, unless the legal paper
16 cannot be replicated to comply with this section.

17 SECTION 2. The change in law made by this Act applies to
18 legal papers filed with a county clerk on or after January 1, 2014.
19 A legal paper filed with a county clerk before January 1, 2014, is
20 governed by the law in effect at the time the paper was filed, and
21 the former law is continued in effect for that purpose.

22 SECTION 3. This Act takes effect January 1, 2014.