

By: Elkins

H.B. No. 2682

Substitute the following for H.B. No. 2682:

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C.S.H.B. No. 2682

A BILL TO BE ENTITLED

AN ACT

relating to certain features required for electronic documents recorded with a county clerk in certain counties; authorizing a fee.

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

SECTION 1. Chapter 195, Local Government Code, is amended by adding Section 195.010 to read as follows:

Sec. 195.010. ELECTRONIC DOCUMENT FEATURES FOR DOCUMENTS FILED IN CERTAIN COUNTIES. (a) In this section:

(1) "Extensible Markup Language" means a markup metalanguage designed to define data elements using customized tags, also referred to as XML.

(2) "Model 3 instrument" means an electronic document imbedded with Extensible Markup Language data that enables the electronic extraction of the instrument's indexing information, including all information required to be included in the document by applicable law or administrative rule.

(b) A county with a population of 3.3 million or more may adopt a requirement that an electronic document filed with the county clerk must have the features of a model 3 instrument.

(c) Notwithstanding Section 195.006, not earlier than the first anniversary of the date a county adopts the requirement under Subsection (b), the county clerk may charge an additional fee for recording an electronic document that does not have all of the

1 features of a model 3 instrument.

2 (d) A fee under Subsection (c) may not exceed:

3 (1) \$3 for an electronic document recorded on or after
4 the first anniversary and before the second anniversary of the date
5 the county adopted the requirement; and

6 (2) \$5 for an electronic document recorded on or after
7 the second anniversary of the date the county adopted the
8 requirement.

9 SECTION 2. This Act takes effect September 1, 2015.