

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 12, 2017**

**TO:** Honorable Joan Huffman, Chair, Senate Committee on State Affairs

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB3492** by Elkins (Relating to the authority of certain county and district clerks to obtain and retain information that identifies a person filing a document or requesting services.),  
**As Engrossed**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Local Government Code by adding a section to allow county clerks and district clerks in counties with a population of 3.3 million or more to copy or record the identifying information of any person presenting a document or other instrument to be filed or recorded and of any person requesting ex officio service from the clerk. It would allow the clerk to maintain the information in electronic storage, would guarantee the confidentiality of the information under most circumstances, and would prohibit the charging of any fee for the copying or recording of the information.

According to the Office of Court Administration the bill would not have a significant impact on the state or local court systems.

The bill would take effect immediately if the bill receives a two-third vote in each house; otherwise, the bill would take effect September 1, 2017.

**Local Government Impact**

According to the Harris County District Clerk, no fiscal impact is anticipated from the bill.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council

**LBB Staff:** UP, AG, LBO, GG, BM