

BILL ANALYSIS

H.B. 3401
By: Orr
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, there is no uniform method regarding certified copies of court records. H.B. 3401 seeks to address this issue by creating a uniform standard for all county and district clerks to follow when certifying copies of court records. By creating a standardized method regarding certified copies, other entities will be able to better identify fraudulent or altered documents. In particular, when filing court records into the property records, county clerks would be able to better identify a true and unaltered certified copy from the court clerk.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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. 3401 amends the Government Code to require a certified copy made of an original document on file in a district clerk's office or in a joint clerk's office to include on each page of the copy the clerk's signature or initials and the applicable court's seal and on the final page the clerk's attestation certifying that the copy is a true and correct copy of the original document, the number of pages copied, and the date the copy was issued.

H.B. 3401 amends the Local Government Code to require a certified copy made of an original document on file in a county clerk's office to include on each page of the copy the clerk's signature or initials and either the commissioners court seal on a copy of a document that is not a court document or the court seal on a copy of a court document, and on the final page the clerk's attestation certifying that the copy is a true and correct copy of the original, the number of pages copied, and the date the copy was issued.

EFFECTIVE DATE

September 1, 2023.