88R18739 MP-D

By:  Holland H.B. No. 1195

Substitute the following for H.B. No. 1195:

By:  Gerdes C.S.H.B. No. 1195

A BILL TO BE ENTITLED

AN ACT

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.

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

SECTION 1.  Section 191.010(b), Local Government Code, is amended to read as follows:

(b)  A county clerk in a county that allows for electronic filing of documents in the real property records of the county [~~with a population of 800,000 or more~~] may require a person presenting a document in person for filing in the real property records [~~of the county~~] to present a photo identification to the clerk. The clerk may copy the photo identification or record information from the photo identification. The clerk may not charge a person a fee to copy or record the information from a photo identification.

SECTION 2.  Section 191.011(b), Local Government Code, is amended to read as follows:

(b)  A county clerk or district clerk in a county that allows for electronic filing or recording of documents or other instruments [~~with a population of 3.3 million or more~~] may copy or record identifying information, including a document on which the information is viewable, regarding an individual who:

(1)  presents a document or other instrument for filing or recording to the county clerk or district clerk; or

(2)  requests or obtains an ex officio service or other public service provided by the county clerk or district clerk.

SECTION 3.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.