

By: Springer

S.B. No. 569

A BILL TO BE ENTITLED

1 AN ACT

2 relating to requests to a municipality for production or  
3 certification of a record in certain civil actions; authorizing a  
4 fee.

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

6 SECTION 1. Section 22.004, Civil Practice and Remedies  
7 Code, is amended by amending Subsections (a) and (b) and adding  
8 Subsection (a-1) to read as follows:

9 (a) Except as provided by Subsection (a-1), a [A] custodian  
10 of a record who receives a request for production or certification  
11 of a record under a subpoena, a request for production, or other  
12 instrument issued under the authority of a tribunal that compels  
13 production or certification of a record is entitled to \$1 for  
14 production or certification of the record. If more than one record  
15 is produced or certified, the custodian of the records is entitled  
16 to only one fee under this section.

17 (a-1) A municipality that receives a request for production  
18 or certification of a record under a subpoena, a request for  
19 production, or other instrument in relation to a matter to which the  
20 municipality is not a party and that is issued under the authority  
21 of a tribunal that compels production or certification of a record  
22 is entitled to impose a fee for production or certification of the  
23 record in the same amount and manner provided by Subchapter F,  
24 Chapter 552, Government Code, for a charge for providing a copy of

1 public information, as if the production or certification of the  
2 record is the provision of a copy of public information under that  
3 chapter.

4 (b) A custodian of a record who produces or certifies a  
5 record under Subsection (a) or (a-1), but who is not required to  
6 appear in court, is not entitled to a witness fee under Section  
7 22.001.

8 SECTION 2. Section 22.004, Civil Practice and Remedies  
9 Code, as amended by this Act, applies only to a production or  
10 certification request issued on or after the effective date of this  
11 Act. A production or certification request issued before the  
12 effective date of this Act is governed by the law as it existed  
13 immediately before the effective date of this Act, and that law is  
14 continued in effect for that purpose.

15 SECTION 3. This Act takes effect September 1, 2023.