

House Bill 1195
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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.

SENATE VERSION (CS)

SECTION 1. Same as House version.

SECTION 2. Section 191.011, Local Government Code, is amended by amending Subsections (b) and (d) and adding Subsection (b-1) 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 require an individual to present photo identification and copy or record identifying information, including a document on which the information is viewable, if the [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.

(b-1) A county clerk or district clerk who requires an individual to present photo identification under Subsection (b) may not accept a document or other instrument for filing or recording if the individual presents the document or other instrument in person and does not have or refuses to provide a

CONFERENCE

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SENATE VERSION (CS)

CONFERENCE

photo identification.
(d) Except as otherwise required or authorized by law, a county clerk or district clerk may not[
[(1) refuse to file or record a document or other instrument or
refuse to provide a public service on the ground that an
individual described by Subsection (b) does not have or
refuses to provide identifying information; or
[(2)] charge a fee to copy or record identifying information.

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.

SECTION 3. Same as House version.