

BILL ANALYSIS

Senate Research Center

S.B. 1547
By: Zaffirini
Local Government
3/14/2025
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In 2023 Senator Zaffirini passed S.B. 1612 to make various administrative updates for district courts. The bill, however, included language allowing county clerks to charge \$0.10 per page for electronic copies of real property records. This fee significantly exceeds the actual cost of production and conflicts with existing laws that regulate public records fees. Specifically, current law limits fees to the actual cost of producing records and ensures charges reflect only the necessary work and expenses required for public information requests, preventing excessive fees.

The passage of S.B. 1612 has created a legal conflict by contradicting these existing cost limitations, allowing an unintended overcharge for electronic copies. To correct this issue, S.B. 1547 would remove the additional charge for electronic copies of real property records, restoring the original intent of the law. This change would ensure that fees remain fair, reasonable, and aligned with the actual cost of providing public records.

As proposed, S.B. 1547 amends current law relating to fees charged by county clerks for certain property records.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 118.011, Local Government Code, by amending Subsections (a) and (e), as follows:

(a) Creates an exception to the requirement that a county clerk collect certain fees for certain services if the service is an electronic copy of real property records.

(e) Requires a county clerk who provides a copy in a format other than paper of a record maintained by the clerk, including real property records, to provide the copy and charge a fee in accordance with Sections 552.231 (Responding to Requests for Information That Require Programming or Manipulation of Data) and 552.262 (Rules of the Attorney General), Government Code.

SECTION 2. Effective date: upon passage or September 1, 2025.