

- SUBJECT:** Electronic optical imaging of court records
- COMMITTEE:** Judicial Affairs — favorable, without amendment
- VOTE:** 5 ayes — Hartnett, Duncan, Goodman, Nixon, Zbranek
2 nays — Alonzo, Solis
2 absent — Thompson, Willis
- WITNESSES:** For — Bonnie Sudderth and A. Bryan Kearney, City of Fort Worth; Ron Zimmerman, City of Austin, for the Office of the Clerk of the Court; Michael L. O’Neal, City of Dallas.
Against — None
- DIGEST:** HB 1966 would permit a municipal court to affix a seal to a court document by electronic means rather than by hand. It would also permit these courts to keep their records by electronic means if the facility to store the records prohibited their alteration. The original record would have to be kept as prescribed by law, but the electronic record could be used as the original for all purposes. The bill would take effect September 1, 1995.
- SUPPORTERS SAY:** Some municipal courts, especially in large metropolitan counties, have a voluminous amount of paper records to keep on file. Any records needed for cases often must be requested to be pulled from the files days in advance of when they are needed because of the volume. Additionally, when records are not requested in advance, it is very difficult to find those records quickly. The technology is available to place these records on optical disks, saving space as well as time. Now, when a record must be pulled for a case, it can be done automatically via this technology. That record could be viewed on a monitor or printed out, but the record could not be altered. If the technology is available and a municipal court has the resources to provide for this service, there is no reason why those courts should not be allowed to do so.
- Recording and producing documents by electronic means is permitted in district court (Government Code sec. 51.304) and county courts (Local Government Code sec. 194.0025). Municipal courts have a similar volume of cases and should be allowed to use this technology; HB 1966 would provide the necessary statutory authorization.

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OPPONENTS
SAY: No apparent opposition.

NOTES: The companion bill, SB 1155 by Sibley, has been referred to the Senate Jurisprudence Committee.

The Judicial Affairs Committee by 7-0 reported favorably, without amendment, HB 3201 by Romo and G. Lewis, which is identical to HB 1966.