

BILL ANALYSIS

Senate Research Center
78R15004 YDB-D

H.B. 1905
By: Farrar (Gallegos)
Intergovernmental Relations
5/21/2003
Engrossed

DIGEST AND PURPOSE

Currently, district clerks collect a \$5 fee for the records management and preservation fund, among other civil filing fees. H.B. 1905 increases the records management and preservation fee from \$5 to \$10 and allocates \$5 of that amount to the district clerk records management and preservation fund and \$5 to the county records management and preservation fund.

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 51.317, Government Code, by amending Subsections (b) and (c) and adding Subsections (d) and (e), as follows:

- (b) Provides that these fees are for certain purposes, including \$10, rather than \$5, for records management and preservation.
- (c) Requires the district clerk, after collecting a fee under Subsection (b)(4), to pay the fee to the county treasurer, or to an official who discharges the duties commonly delegated to the county treasurer for deposits in a certain manner.
- (d) Authorizes a fee deposited in accordance with Subsection (c) to be used only to provide funds for specific records management and preservation, including for automation purposes, on approval by the commissioners court of a budget as provided by Chapter 111, Local Government Code.
- (e) Requires an expenditure from a records management and preservation fund to comply with Subchapter C, Chapter 262, Local Government Code.

SECTION 2. Effective date: September 1, 2003.
Makes application of this Act prospective.