

BILL ANALYSIS

Senate Research Center

S.B. 229
By: Harris
Jurisprudence
7/3/2007
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, a district clerk is required by law to document and maintain the records of a district court that often require large amounts of storage space, making it difficult to arrange and locate materials stored within them.

S.B. 229 authorizes a district court to create a seal electronically or a district clerk to affix a signature electronically, thus allowing the courts to transfer, store, and locate documents with greater efficiency.

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 the heading to Section 51.301, Government Code, to read as follows:

Sec. 51.301. VACANCY; BOND; SEAL; SIGNATURE OF CLERK.

SECTION 2. Amends Section 51.301, Government Code, by amending Subsection (d) and adding Subsections (e) and (f), as follows:

(d) Permits the creation of a district court seal using an electronic means, including by using an optical disk or another electronic reproduction technique, if the means by which the seal is impressed on an original document created using the same type of electronic means does not allow for changes, additions, or deletions to be made to the document.

(e) Authorizes the signature of the district clerk to be affixed on an original document using electronic means, provided that such means meets the requirements of Subsection (d) with respect to creating a seal by electronic means.

(f) Authorizes the delivery or electronic transmission of a seal impressed or a signature affixed by electronic means.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2007.