

BILL ANALYSIS

Senate Research Center
81R24469 ATP-D

H.B. 3601
By: Paxton (Hegar)
Jurisprudence
5/21/2009
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the county clerk of each county must post various legal and official notices as physical documents on a bulletin board that is accessible for public viewing. As county governments move closer to paperless programs, such as e-filing programs, county clerks across Texas need an efficient use of technology to comply with their duties.

H.B. 3601 relates to the authority of a county clerk to post official and legal notices by electronic display.

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. Designates Sections 82.001, 82.002, 82.003, 82.004, and 82.005, Local Government Code, as Subchapter A, Chapter 82, Local Government Code, and adds a heading to Subchapter A, to read as follows:

SUBCHAPTER A. GENERAL PROVISIONS

SECTION 2. Amends Chapter 82, Local Government Code, by adding Subchapter B, as follows:

SUBCHAPTER B. MISCELLANEOUS POWERS AND DUTIES

Sec. 82.051. ELECTRONIC DISPLAY OF OFFICIAL AND LEGAL NOTICES BY COUNTY CLERK. (a) Defines "electronic display."

(b) Authorizes a county clerk to post an official and legal notice by electronic display instead of posting a physical document. Requires that an electronic display of information posted under this section using a device described by Subsection (a)(1) (relating to the electronic device to provide certain information) meet the location, time, and accessibility requirements provided by law for the posting of the notice. Requires that an electronic display of information posted under this section on a county's public Internet website meet the time requirements provided by law for the posting of the notice.

SECTION 3. Effective date: upon passage or September 1, 2009.