

BILL ANALYSIS

Senate Research Center
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S.B. 577
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Intergovernmental Relations
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Each year, the City of Lubbock files between 1,500 and 2,500 environmental (weed) liens against property owners who refuse to clean up their property. This action occurs after the property owners receive citations from the City of Lubbock Code Compliance Department. The Lubbock mayor signs each lien personally and it occupies a significant amount of his time. The mayor would like to use a facsimile signature to sign the liens.

Currently, only home-rule municipalities with a population of 1.9 million or more can use facsimile signatures for eligible contracts outlined in Section 618.002(3), Government Code. This bill lowers the population threshold to 200,000.

As proposed, S.B. 577 amends current law relating to the use of facsimile signatures for certain documents involving certain municipalities.

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 618.002(3), Government Code, to redefine "eligible contract" in this section.

SECTION 2. Amends Section 342.007(b), Health and Safety Code, as follows:

(b) Requires the mayor, municipal health authority, or municipal official designated by the mayor, to file a statement of expenses with the county clerk of the county in which the municipality is located to obtain a lien against certain property. Requires the lien statement to state the name of the owner, if known, and the legal description of the property. Authorizes a signature on a lien statement to be a facsimile signature as defined by Section 618.002 (Definitions), Government Code. Provides that the lien attaches upon the filing of the lien statement with the county clerk.

SECTION 3. Effective date: upon passage or September 1, 2011.