

BILL ANALYSIS

Senate Research Center
83R11447 CAE-D

H.B. 349
By: Canales (Hinojosa)
Jurisprudence
5/8/2013
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Supreme Court has ordered that civil cases—including those in family, probate, county, and district courts—be filed uniformly and electronically by 2016. Electronic filing for criminal cases has lagged behind civil cases in Texas. Currently no parties in a criminal case can digitally file court documents in Hidalgo County.

Filing physical documents is both time consuming and environmentally wasteful. District clerks are burdened with the inordinate amounts of paper stacking up on their desks. While electronic filing is an option for all counties, it is up to the discretion of the courts to implement an e-filing system. H.B. 349 requires Hidalgo County district courts to allow parties to electronically file court documents. This will save Hidalgo County money and move it into the 21st century, becoming a model criminal court system for other counties to follow.

H.B. 349 amends current law relating to electronically filing any court document in a criminal case in Hidalgo County.

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 24.194, Government Code, by adding Subsection (d), as follows:

(d) Authorizes a party in a criminal case before the court to electronically file any required court document. Requires the court to implement the statewide electronic court filing system to assist a party in electronic filing.

SECTION 2. Amends Section 24.195, Government Code, by adding Subsection (d), as follows:

(d) Authorizes a party in a criminal case before the court to electronically file any required court document. Requires the court to implement the statewide electronic court filing system to assist a party in electronic filing.

SECTION 3. Amends Section 24.241, Government Code, by adding Subsection (d), as follows:

(d) Authorizes a party in a criminal case before the court to electronically file any required court document. Requires the court to implement the statewide electronic court filing system to assist a party in electronic filing.

SECTION 4. Amends Section 24.385, Government Code, by adding Subsection (b), as follows:

(b) Authorizes a party in a criminal case before the court to electronically file any required court document. Requires the court to implement the statewide electronic court filing system to assist a party in electronic filing.

SECTION 5. Amends Section 24.452, Government Code, by adding Subsection (b), as follows:

(b) Authorizes a party in a criminal case before the court to electronically file any required court document. Requires the court to implement the statewide electronic court filing system to assist a party in electronic filing.

SECTION 6. Amends Section 24.478, Government Code, by adding Subsection (b), as follows:

(b) Authorizes a party in a criminal case before the court to electronically file any required court document. Requires the court to implement the statewide electronic court filing system to assist a party in electronic filing.

SECTION 7. Amends Section 24.515, Government Code, by adding Subsection (b), as follows:

(b) Authorizes a party in a criminal case before the court to electronically file any required court document. Requires the court to implement the statewide electronic court filing system to assist a party in electronic filing.

SECTION 8. Amends Section 24.534, Government Code, by adding Subsection (b), as follows:

(b) Authorizes a party in a criminal case before the court to electronically file any required court document. Requires the court to implement the statewide electronic court filing system to assist a party in electronic filing.

SECTION 9. Amends Section 24.543, Government Code, by adding Subsection (b), as follows:

(b) Authorizes a party in a criminal case before the court to electronically file any required court document. Requires the court to implement the statewide electronic court filing system to assist a party in electronic filing.

SECTION 10. Amends Section 24.574, Government Code, by adding Subsection (c), as follows:

(c) Authorizes a party in a criminal case before the court to electronically file any required court document. Requires the court to implement the statewide electronic court filing system to assist a party in electronic filing.

SECTION 11. Amends Section 24.593, Government Code, by adding Subsection (c), as follows:

(c) Authorizes a party in a criminal case before the court to electronically file any required court document. Requires the court to implement the statewide electronic court filing system to assist a party in electronic filing.

SECTION 12. Effective date: September 1, 2015.