

BILL ANALYSIS

Senate Research Center

H.B. 1681
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Intergovernmental Relations
5/20/2015
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Reports indicate that seemingly suspicious transactions are sometimes conducted in the lobbies of county clerk offices and that fraudulent documents are sometimes later found to have been filed. Observers assert that requiring a person filing a document with a county clerk to provide identification and to include identifying information along with the filed document would help deter fraudulent filings. H.B. 1681 seeks to address this issue.

H.B. 1681 amends current law relating to the authority of certain county clerks to require an individual to present photo identification to file certain documents.

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 Chapter 191, Local Government Code, by adding Section 191.010, as follows:

Sec. 191.010. **AUTHORITY TO REQUIRE PHOTO IDENTIFICATION TO FILE CERTAIN DOCUMENTS IN CERTAIN COUNTIES.** (a) Authorizes a county clerk in a county with a population of 3.3 million or more to require a person presenting a document in person for filing in the real property records of the county to present to the clerk a photo identification verifying the identity of the person. Authorizes the clerk to determine the forms of photo identification that may be presented to verify the identity of the person. Authorizes the clerk to copy the photo identification or record information from the photo identification. Prohibits the clerk from charging a person a fee to copy or record the information from a photo identification.

(b) Provides that information copied or recorded from the photo identification is confidential.

(c) Provides that a document filed with a county clerk is not invalid solely because the county clerk did not copy a photo identification or record the information from the photo identification.

SECTION 2. Effective date: upon passage or September 1, 2015.