

## **BILL ANALYSIS**

C.S.H.B. 4062  
By: Meza  
Urban Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

State law requires municipalities to maintain a variety of records, many of which must be maintained in perpetuity. Maintenance of these records comes at a cost and municipalities currently have no statutory mechanism under which they may collect fees to assist in the maintenance and preservation of these records. C.S.H.B. 4062 seeks to assist municipalities in covering associated costs by authorizing a municipality to assess a records management and preservation fee not to exceed \$1 on any municipal authorization, permit, license, registration, certification, filing, or other municipal action or approval.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 4062 amends the Local Government Code to authorize a municipality to collect a records management and preservation fee not to exceed \$1 for any municipal authorization, permit, license, registration, certification, filing, or other municipal action or approval, except that a municipality may not collect a fee from a certified telecommunications provider that is required to pay fees to the municipality to access the public right-of-way. The bill requires the records management and preservation fee to be deposited in a separate records management and preservation account in the municipality's general fund and restricts use of the fund only to providing funds for specific records management and preservation, including municipal library and archival services.

### **EFFECTIVE DATE**

September 1, 2021.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 4062 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes a provision that did not appear in the original prohibiting a municipality from collecting the records management and preservation fee authorized by the bill from a certified telecommunications provider that is required to pay fees to the municipality to access the public right-of-way.