

BILL ANALYSIS

Senate Research Center
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S.B. 625
By: Duncan
Jurisprudence
2/28/2001
As Filed

DIGEST AND PURPOSE

Currently, the court of criminal appeals is required to keep a hard copy of all applications for writs of habeas corpus for an indefinite amount of time. The county in which the writ originates also has a copy of the application. As proposed, S.B. 625 allows the court to develop a retention policy for the writ applications and allows the court to keep these records electronically.

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 51B, Government Code, by adding Section 51.105, Government Code, as follows:

Sec. 51.105. ELECTRONIC STORAGE. Authorizes the clerk of the court of criminal appeals (clerk), in the performance of the duties imposed by Section 51.104, to use an electronic storage format to maintain writs and other records and documents which can then be destroyed according to the retention policy described by this section. Requires the clerk to establish a record retention policy (policy) that provides a plan for the storage and retention of writs and other documents, and requires the policy to include a retention period to preserve the writs and other records in accordance with state law and applicable rules of the court of criminal appeals. Defines "electronic storage."

SECTION 2. Effective date: September 1, 2001.