

BILL ANALYSIS

Senate Research Center

C.S.S.B. 1437
By: Paxton
Jurisprudence
3/27/2013
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties assert that a municipal clerk should be able to file documents electronically with a county clerk. Other parties, including practicing attorneys, state agencies, and title companies, already have this ability.

C.S.S.B. 1437 amends current law relating to authorizing certain persons to file documents electronically for recording with a county clerk.

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 195.003, Local Government Code, by amending Subsection (a) and adding Subsection (a-1), as follows:

(a) Authorizes a municipal clerk, in addition to certain other persons, to file electronic documents or other documents electronically for recording with a county clerk that accepts electronic filing and recording under this chapter (Electronic Filing of Records With and Recording by County Clerk).

(a-1) Authorizes a county to authorize, in addition to persons listed under Subsection (a), a person to file electronic documents or other documents electronically for recording with a county clerk if the county enters into a memorandum of understanding with the person for that purpose. Provides that this subsection applies only to a county with a population of 500,000 or more.

SECTION 2. Effective date: upon passage or September 1, 2013.