

By: Davis of Dallas

H.B. No. 1118

A BILL TO BE ENTITLED

AN ACT

relating to documents filed with certain courts.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 51.304, Government Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) The plan must:

(1) require the recording and filing of original instruments, records, and minutes within a specified time after presentation to the district clerk;

(2) require [~~permit~~] the use of original paper records in a proceeding before the court;

(3) provide standards for the organizing, identifying, coding, and indexing of records so a record can be retrieved rapidly and the reproduced record can be certified as a true and correct copy;

(4) provide for the use of materials to reproduce records and, if appropriate to the method by which records are stored, provide for the use of processes relating to the development, fixation, and washing of the photographic duplicates, that are of a quality approved for permanent photographic records by the American National Standards Institute, or another nationally recognized entity that establishes archival standards for mediums used to store data and records; and

1           (5) provide for the permanent retention of records,  
2 including security provisions to guard against physical loss,  
3 alteration, and deterioration.

4           (c) The plan adopted by the district clerk under this  
5 section must require that all original paper documents in a case be  
6 retained by the clerk pending the final disposition of all  
7 proceedings in the case.

8           SECTION 2. Section 51.805(a), Government Code, is amended  
9 to read as follows:

10           (a) A receiving station, on completion of an electronic  
11 filing, shall:

12                   (1) transmit data to the appropriate court as required  
13 as an original paper document; and

14                   (2) distribute data as required by statute or rule.

15           SECTION 3. The changes in law made by this Act apply to a  
16 document filed on or after the effective date of this Act. A  
17 document filed before the effective date of this Act is governed by  
18 the law in effect on the date the document was filed, and that law is  
19 continued in effect for that purpose.

20           SECTION 4. This Act takes effect September 1, 2013.