

Legislative Ideas for 85th Legislature

RATE From 5 - 1, 5 being the most important

5	4	3	2	1	<p>CONSOLIDATE CIVIL COURT COSTS. Establish one specific amount to go to State, one specific amount to go to County and specific amount for Clerk's Records Management, archiving, preservation fees. Comptroller would have historical percentages to allocate the state's portion</p>	
5	4	3	2	1	<p>COSTS. There is much talk with the bar association and other legal organizations that the current cost of "Up to \$1. per page for certified copies" is excessive in the electronic age. Clerks need to propose a specific costs for electronic copies whether bulk data or not. We need to be proactive before other groups initiate legislation which may be \$-0.00 per page.</p>	
5	4	3	2	1	<p>CONSOLIDATE CIVIL COURT COSTS. Establish one specific amount to go to State, one specific amount to go to County and specific amount for Clerk's Records Management, archiving, preservation fees. Comptroller would have historical percentages to allocate the state's portion</p>	
5	4	3	2	1	<p>APPLY CASH BONDS TO COST, FINES AND FEES CCP 17.02(3)</p>	

5	4	3	2	1	SET "SERVICE FEES" FOR COUNTY AND DISTRICT CLERKS THE SAME. Last session we worked with OCA to standardize the "service fees" for ease in electronic filing and clear up confusion for County and District Clerks	
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5	4	3	2	1	POSTING TRUSTEE NOTICES ELECTRONICALLY (OPTIONAL) Property Code 51.002(b)(1)(a), and PC 51.002(b)(2)(a) and PC 51.002(f)	
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5	4	3	2	1	PERSONS AUTHORIZED TO CONDUCT CEREMONY. FC 2.202(a) . Include County Clerk as authorized person to conduct ceremony	
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5	4	3	2	1	LIMIT # OF TIMES DEFENDANT IS ALLOWED TO DEFAULT ON PAYMENT PLANS, CCP 43.03(d)(2)(c)	
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5	4	3	2	1	<u>REQUIRE CERTAIN INFORMATION TO BE INCLUDED ON TRUSTEE NOTICES. PC 51.002(i) add legal description of the property; physical address of the property; name of grantor; name of mortgagee; appraisal district property identification number</u>	
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5	4	3	2	1	REPEAL EXPIRATION DATE FOR RECORDS ARCHIVE FEE. LGC 118.011	
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5	4	3	2	1	STATUTE SPECIFYING HOW TO CERTIFY DOCUMENTS. Stamp each page, electronic certification, or wet required?	
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5	4	3	2	1	CLEANUP ELECTIONS CODE 16.001(b) to cite Estates Code versus Probate Code.	
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5	4	3	2	1	LGC 118.0216 RM&P take out county-adjacent to an international boundary for separate records management and preservation account in the general fund of the county	
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5	4	3	2	1	EFILED TRANSFER - BILL FOR TRANSFER? Change Estates Code CH 33 and TRCP Rule 89 which requires clerk to send "original papers" and certified copies.	
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5	4	3	2	1	LAND AWARD FROM GENERAL LAND OFFICE Natural Resources Code 51.065 NOTICE AND RECORD OF SALE: (a) Take out (b) After being informed of any sale of public school land, the county clerk shall enter into his books opposite the description of land sold, the name of the purchaser of the date of the sale. The county clerk shall record the notification of sale in the Official Public Records at no charge.	
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5	4	3	2	1	SUBDIVISION PLATS SUBMITTED ELECTRONICALLY. Expand on HB 2033 allowing electronic versions of plats to clerks	
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5	4	3	2	1	BACKGROUND CHECK ON GUARDIANS. Change from clerk obtains to "court requires to be submitted"	
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5	4	3	2	1	NOTARY BOOKS TO SOS INSTEAD OF COUNTY CLERKS Sec 406.022	
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5	4	3	2	1	SALARIES SET BY LEGISLATURE Expand on 1995 HB 409 by Longoria (3) a district clerk at an amount less than 85 percent of the total annual salary paid to the lowest paid district judge in the county; (4) a county clerk at an amount less than 85 percent of the total annual salary paid to the lowest paid county court-at-law judge in the county;	
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5	4	3	2	1	RECORD FIELD NOTES. Acknowledge notes in Natural Resources Code 23.057 or Property Code Change	
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5	4	3	2	1	WILLS FOR SAFEKEEPING Resubmit HB 3319 from 84th legislative session... copies submitted to Sen Zaffirini's office in April	
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5	4	3	2	1	AMEND DATES ON TREASURER'S UNCLAIMED PROPERTY REPORT Sec. 76.101. PROPERTY REPORT. (a) Each holder who on June 30 <u>March 1</u> holds property subject to this chapter shall file a report of that property on or before the following November <u>July 1</u> . Each report shall be filed with the treasurer of the holder as provided by this section and on forms prescribed by the treasurer of the holder.	
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5	4	3	2	1	INSTRUCTIONS FOR COURT REPORTER, OR PROSECUTOR ON BIOLOGICAL EVIDENCE. Send to sheriff or DPS CCP 2.21 and CCP 38.43 and CCP 64.03(e)	
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5	4	3	2	1	Allow Clerks access to DPS criminal history information in order to verify criminal history information for jury eligibility GC 411.083(c)(7)	
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5	4	3	2	1	ALLOW NOTICES IN VARIOUS STATUTES TO BE FILED ELECTRONICALLY FOR MINIMAL FEE. Expunctions ??, Non Disclosures??, CCP, Juvenile Court motions FC 62.353, child support withholding order FC 8.154 and 158.105, certified copy of divorce decree FC 6.710, TRCP 119(a) and 306(a) and others ????	
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5	4	3	2	1	PROCEDURES TO REPORT "NO BILLS" This would include change to PIA 552.003(1)(B), CCP 20.02	
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5	4	3	2	1	DEFERRED ADJUDICATION. 7. Prevention of DPS to include findings for Deferred Adjudication in the public access of Criminal History Records. GC 411.???	
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5	4	3	2	1	GRAND JURY EXEMPTION 8. Grand Jury child care exemption to be the same for Petit Jury age limit.	
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5	4	3	2	1	PROCEDURES TO ENSURE ACCURACY OF DPS RECORDS FOR JURY WHEEL. 9. More stringent requirements of DPS in records for jury wheel. Or do we rely on joint meeting of clerks and DPS to accomplish this. GC 62.001(f)	
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5	4	3	2	1	SUMMONS OF GRAND JURY 10. Take Sheriff's department out of summoning jury GC 62.012, 62.013, and CCP 1914, CCP 19.95.	
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5	4	3	2	1	PASSPORT FEE Passport fee to be a special fund for District Clerks	
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5	4	3	2	1	DEFINE NUMBER OF COPIES FOR CLERK'S RECORDS 12. Define number of clerk's records in appeal to be made. TRAP 34.(6) and (h) The statute specifies a number of copies. Since most appeal records are electronic, the number of copies is obsolete	
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5	4	3	2	1	INQUEST RECORD Delete ART 49.15(d) which states that the justice of the peace has to keep these original records forever. It also says the district clerk has to keep the sealed envelope with a "copy" 10 years. No need to keep these copies	
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5	4	3	2	1	REQUIRE FULL NAMES OF CHILDREN IN STYLE OF FAMILY CASES. FC 102.008 Will not allow attorneys to have initials of children due to requirement of full names in TRCP 21(c for sensitive data.	
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5	4	3	2	1	LGC 191 Cleanup	
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