

District Court Records Technology/Archive Fund

I. Background (Statutory History)

The 81st Texas Legislature passed SB 1685 that authorized the commissioner's court to adopt a district court records archive fee of not more than \$5 for the filing of a suit, including an appeal from an inferior court, or a cross-action, counterclaim, intervention, contempt of action, motion for new trial, or third-party petition in a district court in the county. The 83rd Texas Legislature passed HB 1513 that increased the amount to not more than \$10 until September 1, 2019, thereafter the fee is dropped down to no more than \$5.

SB 658, Effective September 1, 2019, repealed the sunset provision on district clerk archive fee and district and county clerk records management and preservation fees to keep them at \$10 (were scheduled to revert back to \$5 on 9/1/19)

II. Bill Summary

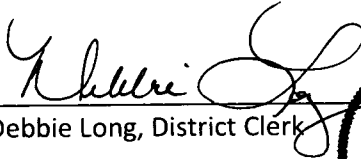
- **Begins** on the approval of County of Lamb 2022-2023 Annual Budget. The fee must be set and itemized in the county's budget as part of the budget preparation process every year.
- **Termination:** This fee may be collected until the district court records archive preservation and restoration project is complete.
- The fee is assessed on the filing of a suit, including an appeal from an inferior court, a cross-action, counterclaim, intervention, contempt action, motion for new trial or third-party petition.
- The fee may only be used to maintain court documents from deterioration and to provide preservation and restoration to older documents – **in accordance with this plan.**

III. Purpose

The purpose of this fee is to off-set the expense in maintaining the older documents filed in the District Clerk's Office. The clerk's office will be imaging the older records to help preserve them. We plan on using the current imaging system to add these older records to our system. This will help preserve older records and enable record searches to be available for electronic retrieval.

Summary

The Legislature has provided a means to raise revenue for the records management and preservation of older county records. This fee is an alternative to spending general fund monies to accomplish these projects. This plan will be implemented in phases as money is accrued and deposited into a special revenue account. Any outsourcing and purchase of equipment will be done through standard purchasing processes. Approval will prevent the potential hazard and "disaster in waiting" as years and years of vital statistics are crumbling, unprotected and adequately preserved.


Debbie Long, District Clerk

