

LAMB COUNTY
COUNTY CLERK
Records Archive Fee
Plan Year: 2023-2024

Background (Statutory History)

- Records Archive Fee – Per Local Government Code: Section 118.011(f)(1), the county clerk of a county shall, if the commissioners court of the county adopts the fee as part of the county's annual budget, collect the fee from any person filing a document. The fee cannot exceed \$10. Local Government Code: Section 118.025 describes the scope of the County Clerk's Records Archive Fee.

County Clerk Records Archive Account
Statutes: Local Gov't Code §§118.011(f), 118.025

Source: Fees paid for recording or filing services, set by the commissioners court, not to exceed \$10. Optional, set by the commissioners court. Accrued interest remains with this account.

Controlled by: County Clerk and Commissioners Court, by agreement, subject to annual public hearing and commissioners court budgetary authorization.

Purposes: Monies may be expended only for the preservation and restoration services performed by the county clerk in connection with maintaining a county clerk's records archive on public documents designated by the county clerk as part of the records archive. The monies may not be used to purchase, lease, or develop computer software to geographically index public records, excluding indexing public records by lot and block description.

Additional Requirements: Fee set by commissioners court as part of budget process. County clerk designates public documents that are part of records archive and prepares plan to pay for preservation and restoration of records archive, subject to approval by the commissioners court. Public hearing required.

- ***Effective September 1, 2019, the maximum allowable archive fee will be permanent. It was scheduled to be reduced to a maximum \$5 fee on 9/1/19, but SB 658 of the 86th TX Legislature made the current \$10 maximum allowable amount a permanent figure.***

Bill Overview

- ***Began*** on the **2011** Annual Budget. The fee must be set and itemized in the County's budget as part of the budget preparation process annually.
- The \$10.00 fees are assessed on any instrument, document, paper or other record that the County Clerk is authorized to accept for filing or recording (deeds or official public records, assumed names, marriage licenses, civil, probate case filings).
- Changes to the plan must be approved by Commissioners' Court.

Purpose

- Official Lamb County records are computerized and automated in electronic format back to **2005** for some records. The County Clerk's office is progressive in the preservation of current records, utilizing the original Records Management Fee, as well as the Records Archive Fee in order to preserve and enhance the integrity of the existing system for recording and preserving public documents; the County Clerk seeks to preserve existing original records by restoring or re-creating old volumes, re-indexing old handwritten and typed index books and converting all older media into electronic format and importing this newly created data into the existing computer system.

The overall goal and vision of the County Clerk's office is to:

Modernize and upgrade old record systems in the office.

- Continue to add records and information to our existing computer system.
- Eliminate or reduce manual lookups and searches.
- Expedite record searching by having more records available for electronic retrieval.
- Provide public information to the citizens of the County via the Internet.
- Continue to eliminate the need for paper records.
- Preserving original records by reducing daily usage.

Length of Project

The restoration and archiving of records is an ongoing project and the length of completion is unknown.

Additional Provision

Any other project that may arise concerning the restoration, preservation or archival of records in the Lamb County Clerk records during the **2024** budget year.

Summary

The Legislature has provided a means to raise revenue for the records management and preservation of county property and vital records. This "user" fee is an alternative to raising taxes or 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 accounts. Any outsourcing and purchase of equipment will be done through standard purchasing processes. Approval of this plan will prevent the potential hazard and "disaster in waiting" as years and years of vital county property records remain unprotected and not adequately preserved.

Projects Pending

<u>Record Type</u>	<u>Description</u>	<u>Project Start Date</u>	<u>Completion Date</u>	<u>Cost</u>
OPR – 10 years, 1995 to 2005	Images and Indexes, 99,760 pages and 22,169 documents	Project has been Completed	Documents are now available on the Lamb County website	Complete and earning revenue
OPR – 5 years, 1990 to 1995	Images and Indexes from Volumes 427 to 464, 11,796 documents and 42,244 images have been scanned and are loaded on a flash drive from Kofile. 7-17-2023 Ben Warren downloaded flash drive.	7-6-2022 Project began Awaiting review and approval of the data/images from Kofile by Tyler Services	Unknown	5-8-2023 Sales Quote for \$2,500.00 from Tyler Services