

BILL ANALYSIS

H.B. 4248
By: Kuempel
County Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised that statutory provisions relating to specifications for legal papers presented to a county clerk for filing or recording are not clear enough to ensure that the provisions are consistently interpreted and applied by county clerks throughout Texas. H.B. 4248 seeks to address these concerns and remedy potentially confusing language by revising such provisions.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 4248 amends the Local Government Code to revise specifications for legal papers presented to a county clerk for filing or for recording relating to the following:

- minimum point type size;
- manner for suitable reproduction;
- legibility requirements of legal papers, including notary seals, submitted to the clerk;
- authorizing a county clerk to refuse to record a legal paper that does not meet applicable legibility requirements;
- the required characteristics of pages submitted for recording;
- the manner and fee implications of attaching riders or attachments to a page; and
- pages that fail to meet certain requirements and for which the filing fee or recording fee is equal to twice the regular filing fee or recording fee.

H.B. 4248 amends the Government Code to make conforming changes.

H.B. 4248 repeals Sections 191.007(i) and (j), Local Government Code.

EFFECTIVE DATE

September 1, 2019.