

BILL ANALYSIS

C.S.H.B. 2414
By: Davis
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

There is strong support among constituents and district attorney offices for requiring photo identification for the filing of real property records with a county clerk in order to deter some bad actors and expedite the investigation of cases in which someone files a fraudulent deed. Currently, only Harris County is authorized to require such identification. C.S.H.B. 2414 seeks to address this issue by extending this authority to all counties.

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

C.S.H.B. 2414 amends the Local Government Code to extend an authorization for a county clerk to require photo identification from a person presenting a document for filing in the county's real property records from a county clerk in a county with a population of 3.3 million or more to a county clerk in any county. The bill prohibits a county clerk that imposes such a requirement from accepting a document for filing in the county's real property records if the person presents the document in person and does not have or refuses to provide a photo identification.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2414 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute does not include language replacing the authorization for a county clerk in a certain county to require photo identification from a person filing applicable documents with a requirement applicable to all counties. The substitute instead extends the authorization to a county clerk in any county and makes a related change to the bill's prohibition.