

# SABINE COUNTY CLERK

## RECORDS MANAGEMENT AND ARCHIVE PLAN

### STATUTE

Senate Bill 1731 enacted by the 78<sup>th</sup> Legislature of the State of Texas, subsection(e) Section 118.011, Local Government Code Section 118.025 Local Government Code (b), to enable the Commissioner's Court to adopt a Records Archive Fee. The fee must be set and itemized in the County's Budget as part of the Budget Preparation process. The fee for "Records Archive" under section 118.001(e) is for preservation and restoration services performed by the County Clerk in connection with maintaining a county records archive.

SB 526 passed by the 79<sup>th</sup> Texas Legislature repeals the Local Government Code, Section 118.025(a)(4) regarding definition of "Records Archive" as public documents filed with the County Clerk before January 1, 1990 and adds language to allow the County Clerk to designate records that are part of records archive plan, with approval of Commissioner's Court in a public meeting. The bill repeals the Local Government Code 118.011(g), and 118.025(k), relating to the expiration date of September 1, 2008.

House Bill 1513 passed by the 83<sup>rd</sup> Legislative Session amends Section 118.001 (b) and (f) of the Local Government Code to increase the amount of the County Clerk's Records Archive (assessed when a non-court document is presented to County Clerk for recording of filing) from not more than \$5.00 to not more than \$10.00. The increased fee is set to revert to the "not more than \$5.00" amounts on September 1, 2019.

- **Effective September 1, 2019, the maximum allowable archive fee will be permanent. It was scheduled to be reduced to a maximum \$5 fee on 09/01/2019, but SB 658 of the Texas Legislature made the current \$10 maximum allowable amount a permanent figure.**

### PURPOSE

The County Clerk wishes to take advantage of the new legislation that is designed to assist the county in preserving all Archived Records. This extra fee for each document filed or recorded, is to be dedicated to that task. Although the office is progressive in the preservation of current records, utilizing the Records Management Fees, funding has not been sufficient to "Archive" the older documents that have documents that have priceless historic value. In order to preserve and enhance the integrity and reliability of the existing system for

recording and preserving public documents; the County Clerk seeks to preserve existing original records by restoring or re-creating books, digitizing older microfilm and paper records, re-indexing old handwritten and typed index records and importing newly created images and data into the existing computer system.

**PROJECT FOR 2024-2025**

The County Clerk's office is currently getting older records (probate, criminal and land records) scanned into our current system. I would also like to restore older land books that is stored in the history center and birth records. This is an ongoing project and have no length of completion.

**SUMMARY**

The Legislature has provided a means to raise revenue for the records management and preservation of older county records. The records archive "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 any contract services will be done through standard purchasing procedures. Approval and implementation of the plan will insure the preservation of priceless historical records for future generation.

**ORDER TO ADOPT RECORDS ARCHIVAL PLAN**

**WHEREAS**, Local Government Code, Section 118.01(f) enables the Commissioners' Court to adopt a Records Archive Fee, for the preservation and restoration services performed by the County Clerk in connection with maintaining a County Clerk's records archive.

**WHEREAS**, a Commissioners' County approved the collection of a Records Archive Fee of \$5.00 to commence on September 1, 2003, which the County Clerks' office will collect at the time of filing or recording of any public record, excluding a state agency.


**WHEREAS**, Sections 118.011 (b) and (f) of the Local Government Code was amended to increase the amount of the County Clerk's Records Archives Fee assessed when a non-court document is presented to the County Clerk for recording or filing from not more than \$5.00 to not more than \$10.00.

**WHEREAS**, after Commissioners' Court approval of the County Clerk's Records Archival Plan and the Plan being accepted as presented.

**NOW THEREFORE, BE IT ORDERED** by the Commissioners' Court of Sabine County, pursuant to the Local Government Code, Section 118.011 (f) hereby adopts the County Clerk's Records Plan. Further, the fees collected may be expended only for the preservation and restoration of County Clerk's records archive. The funds may not be used to purchase, lease, or develop computer software to geographically index public records for current recordings.


ADOPTED this 26 day of August, 2024.

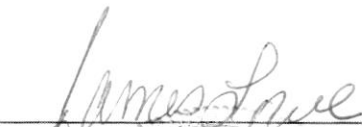
**SABINE COUNTY COMMISSIONERS' COURT**

  
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Daryl Melton, County Judge

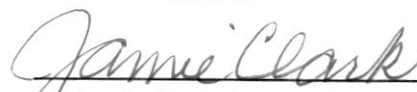
  
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Commissioner Pct. 1 Brent Cox

  
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Commissioner Pct. 2 Keith Nabours

  
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Commissioner Pct. 3 Stanley Jacks

  
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Commissioner Pct. 4 James Lowe

Attest:

  
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Jamie Clark, County Clerk

