

# Lubbock County Clerk Records Management and Archive Plan

## I. Background (Statutory History)

The 77<sup>th</sup> Texas Legislature passed HB 370 in 2001 to allow *border* county's to assess a \$5.00 Records Management and Preservation Fee for the preservation of older records filed with the County Clerk. The 78<sup>th</sup> Legislature passed SB 1744 amending the original legislation allowing *all* county's to collect this fee with Commissioner's Court approval. The County Clerk is proposing to collect this fee at this time.

This legislation amends Local Government Code, Section 118.011 (f), to enable the Commissioner's Court to adopt a Records Archive Fee for the preservation and automation of previously filed and recorded real property and vital statistics records as part of their regularly adopted annual budget.

## II. Bill Summary

- ***Begins*** on approval of the County of Lubbock 2009-10 Annual Budget. The fee must be set and itemized in the county's budget as part of the budget preparation process.
- ***Termination:*** The 79<sup>th</sup> Legislature extended this bill indefinitely.
- The \$5.00 fee is assessed on any instrument, document, paper, or other record that the County Clerk is authorized to accept for filing or recording (deed or official public records, assumed names, marriage licenses, civil case filings).
- The fee may be used ***only*** to provide funds for specific records management and preservation, ***including*** for automation purposes – **in accordance with this written plan.**
- Commissioner's Court must approve changes to the plan. The plan may be modified as required.

## III New Legislation

**HB1513** by Lewis (Relating to temporary increases in the records archive fees and the records management and preservation fees charged by district and county clerks.), **As Passed 2nd House and signed by the Governor of Texas**

- **No fiscal implication to the State is anticipated.**
- Article 1 would amend the Government Code to authorize the Commissioners Court of a county to increase a district court records archive fee from not more than \$5 to not more than \$10. The fee would be required to be deposited into a district court records technology fund in the county's general fund and could only be expended for the preservation and restoration of the district court records archive. The bill would also amend

the Local Government Code to authorize a county clerk to increase the Records Management and Preservation Fee and Records Archive Fee from not more than \$5 to not more than \$10. Article 1 would take effect September 1, 2013.

Article 2 would revert the fees to fee amounts prior to the increase in Article 1 and would take effect September 1, 2019.

- Per SB 685 in the 86<sup>th</sup> Legislative Session the fee amount for this fund was made permanent at \$10.00.

### **III. Purpose**

Official Lubbock County records have been computerized and automated in electronic format since 2006. The County Clerk's office is progressive in the preservation of current records, utilizing the original Records Management Fee from 1991 *forward*. However, this funding *has not been sufficient* to electronically preserve and restore the **older** documents that have a priceless historical value. 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, digitizing older microfilm and paper records, re-indexing old handwritten and typed indexed books and converting all older media into an electronic format and importing this newly created data into the existing computer system.

### **Records Management and Preservation Plan**

#### **IV. 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 your existing computer system.
- Recreate old Photostat records that are fading, bleeding through or generally illegible.
- Expedite record searching by having more records available for electronic retrieval.
- Provide more public information to the citizens of the County.
- Preserving original records (OPR, Court, Vital & Comm. Court by reducing daily usage.
- Reclaiming much needed space in the public records area.

**V. Annual Revenue Estimate based on 2021 filings**

Official Real Property Records	66,325/annually X \$10.00 = \$663,250.00
Marriage Records	2,147/annually X \$10.00 = \$21,470.00
Birth/Death Records	120/annually X \$1.00 = \$120.00

**Total \$684,840.00**

**VI. Restoration, Preservation and Automation Projects**

**Scan, convert Photostat images, digital cleanup and recreation of 1315 Photostat books. Create new microfilm with new image and create digital image on CD/DVD.**

740 Photostat books Large Deed books  
851 Photostat books Standard books

Indexing of all Photostat documents into current system & attach digital images.

**Conversion of 1974 to 2006 digital images & redaction of Land Records to existing index:**

Approximately 1,584,000 documents from 1974 to 2006.

**Records Management and Preservation Plan**

**Indexing real property records from 1974 back to Lubbock County beginning of 1881 using the original handwritten index books:**

**Vital Statistics Records indexes, images digitizing and preservation.**

**Re-creation and restoration of damaged and broken Official Public record books.**

**Re-creation, restoration and preservation of Commissioner Court books and indexes.**

**Purchase archival quality storage boxes for civil, criminal and commissioner court records stored at the records center, archives office and basement exhibit room.**

**Birth Records & Indexes -Scan, Index, digitize, download & preserve.**

**Death Records & Indexes-Scan, Index, digitize, download & preserve.**

**Marriage Records & Indexes-Scan, Index, digitize, download & preserve.  
Acquire software to create certified copies of old marriage license, decreasing the handling of the original documents.**

**Maps and Plats**

**Purchase plat cabinets and archival storage sleeves for plats as needed.  
Plat scanner/printer for digitizing images and downloading into system.**

**Case file imaging and preservation.**

**Commissioner's Court Records**

**Indexing and imaging of minutes and exhibits.**

**Preservation, de-acidification and book bindings for Commissioner Court books.**

**Summary**

**The Legislature has provided a means to raise revenue for the records management and preservation of older 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 as money is accrued and deposited into a special revenue account. Any outsourcing and purchase of equipment will be done through standard purchasing processes. The completion of projects will better utilize storage space in the archives areas and approval will prevent the potential hazard and "disaster in waiting" as years and years of vital county property records sit under sprinkler systems – unprotected in non-archival, water resistant quality boxes and not adequately preserved.**