Kim Jones
Montague County Clerk
P.O. Box 77
Montague, Texas 76251
(940) 894-2461
(940) 894-6601 Fax

RECORDS MANAGEMENT & RECORDS ARCHIVE WRITTEN PLAN FISCAL YEAR 2026/2027

I. Statute

The 77th Texas Legislature passed HB 370 to allow border counties to assess a $5.00 Records Management and Preservation Fee for the preservation of older records filed with the County Clerk. The 78th Legislature passed SB 1731 amending the original legislation allowing all counties to collect this fee with the Commissioners' Court approval. This legislation amends Local Government Code, § 118.011 (g), to enable the Commissioners' Court to adopt a Records Archive Fee for the preservation and automation of previously filed and recorded records.

The court established a fee of $5.00 to be collected at the time of filing or recording of any public record with the exception of documents filed by the state. The Montague County Clerk has been collecting this fee.

SB 526 passed by the 79th Texas Legislature repeals the Local Government Code, § 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 Commissioners' 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.

HB 1513 passed by the 83rd Legislative Session amends § 118.011 (b) and (f) of the Local Government Code to increase the amount of the County Clerk's Records Archives Fee (accessed 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. 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 9/1/19, but SB 658 of the 86th Texas Legislature made the current $10 maximum allowable amount a permanent figure.

General Provisions: The fee for "Records Management and Preservation" under § 118.011 is for the records management and preservation services performed by the County Clerk after the filing and recording of a document in the records of the office of the Clerk. (d) The fee shall be deposited in a separate records archive account in the general fund of the County. Any interest accrued remains with the account. (e) All expenditures from the records management and preservation account shall comply with Subchapter C, Chapter 262.

The fee for "Records Archive" under § 118.011(f) is for the preservation and restoration services performed by the County Clerk in connection with maintaining a County Clerk's records archive. (d) The fee shall be deposited in a separate records archive account in the general fund of the County. (e) The funds generated from the collection of a fee under this section may be expended only for the preservation and restoration of the County Clerk's records archive. (g) the County Clerk shall prepare an annual written plan for funding the preservation and restoration of the County Clerk's records archive. All expenditures from the records archive account shall comply with Subchapter C, Chapter 262.

II. Purpose

To continue to back scan deed/real records to digital formats to keep from exposing these records from daily usage and deterioration. Although the office is progressive in the preservation of current records by utilizing the Records Management Fee, funding has not been sufficient to electronically preserve, restore, and re-index the older document that have priceless historical 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 indexed records and importing newly created images and data into the existing computer system.

III. Restoration and Preservation Projects

The goal of the County Clerk's office is to:
Digitize all official public records.
Modernize and upgrade old records systems in the office.
Continue and add records and information to existing computer system.
Eliminate record searching by having more records available for electronic retrieval.
Provide more public information via the Internet.
Preserve original records by reducing daily manual usage.

Due to enormous volume of records in the Montague County Clerk's Office, the records management and archive plan projects will be an ongoing process for many years to come.

Summary

The County Clerk's office has taken advantage of preserving and maintaining documents with the use of records management and archive fee. These fees are dedicated to that task. The vast majority of the permanent records in the County Clerk's office were paper based and used on a daily basis by the public making them vulnerable to loss theft, wear, and tear.

These records are preserved by adding the records management and archive fee to cover the cost of scanning and indexing the paper-based documents without additional cost to the County. In addition to preserving the documents, the images are added to our existing system which improves customer service and disaster recovery.

Revenue collected and not expended in the fiscal year will be carried forward and used toward outstanding balances on the current projects. We will then re-assess and prioritize what records and/or documents need to be completed on future projects and obtain new pricing information to achieve those projects, as needed.

Kim Jones
Montague County Clerk

MONTAGUE COUNTY COURT OF COUNTY, TEXAS