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JAMES M. KUBOVIAK
COUNTY ATTORNEY
BRAZOS COUNTY, TEXAS

Opinion Committee

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BRAZOS COUNTY
COURTHOUSE
BRYAN, TEXAS 77803

September 2, 1993

Opinion Committee
Office of the Attorney General
P.O. Box 12548
Austin, Texas 78711-2548

MBJ
FILE # ML-22112-93
I.D.# 22112
RQ-613

Dear Opinion Committee:

Our office is requesting clarification of Chapter 291, Local Government Code, Sec. 291.007, which was amended by the Legislature on June 19, 1993 and went into effect on September 1, 1993.

If the commissioners court sets a security fee, the county and district clerks shall collect a fee of \$1.00 for filing any document not subject to the security fee. The phrase "any document" is not defined or explained in the statute, and is subject to varying degrees of interpretation.

I am enclosing a copy of the statute in question. It is our opinion that the count and district clerks could charge this fee for any other civil document, i.e. leases, wills, marriage licenses, deeds and only excluding birth certificates, death certificates, and military discharge papers. Your opinion is requested.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "Jim Kuboviak".

Jim Kuboviak
Brazos County Attorney