

**LIBERTY COUNTY CLERK
LEE HAIDUSEK CHAMBERS**

Office Location:

1923 Sam Houston Street, Room 209

Mailing Address:

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COSTS FOR PUBLIC INFORMATION

The public is invited to inspect any public records retained by this office and may request copies of public records. These copies may be paper, electronic, or both. The following is an outline of the charges that may be assessed by this office for providing copies upon request.

The cost charged is based on the Texas Government Code, Chapter 51, and the Texas Local Government Code, Chapter 118. For less than 50 pages of paper records, the charge is only the cost of the copies, which is \$1.00 for each page or part of a page for non-certified copies. Other allowable charges for copies include \$1.00 per CD, \$3.00 per DVD, actual costs for a USB drive or external hard drive, \$15.00 per hour for labor, and 20% of the cost of labor as overhead. The charge for providing a copy of public information shall be an amount that reasonably includes all costs related to reproducing the public information, including costs of materials, labor and overhead, according to the Texas Government Code § 552.261.

If the cost of the document request is less than \$40.00, the requestor will be billed upon completion of work. If the cost is more than \$40.00 but less than \$100.00, the County Clerk's Office will provide a cost estimate for the work being requested prior to the work being completed. Costs that exceed \$100.00 may require a deposit. There is a less expensive way for you to obtain this information. You may view the information in person at our offices. If you choose to view the information in person, please provide us with three dates and times when it will be convenient for you to come.

Your request will be considered automatically withdrawn if you do not notify us in writing within ten (10) business days from the date of this letter that you either: (a) accept the charges; (b) wish to modify your request; OR (c) have sent to the Open Records Division of the Office of the Attorney General a complaint alleging that you are being overcharged for the information you have requested.

**TO REQUEST DUPLICATION OF LIBERTY COUNTY PUBLIC RECORDS, PLEASE VISIT
OUR OFFICE.**

**YOU MAY ALSO SUBMIT YOUR REQUEST IN WRITING TO THE LIBERTY COUNTY
CLERK AT ONE OF THE ABOVE ADDRESSES.**

Current Texas Statutes related to the costs and fees charged by the Liberty County Clerk's Office are below.

TEXAS LAW REGARDING COUNTY CLERK FEES

Texas Government Code

Sec. 552.261. CHARGE FOR PROVIDING COPIES OF PUBLIC INFORMATION.

(a) The charge for providing a copy of public information shall be an amount that reasonably includes all costs related to reproducing the public information, including costs of materials, labor, and overhead. If a request is for 50 or fewer pages of paper records, the charge for providing the copy of the public information may not include costs of materials, labor, or overhead, but shall be limited to the charge for each page of the paper record that is photocopied, unless the pages to be photocopied are located in:

- (1) two or more separate buildings that are not physically connected with each other; or
- (2) a remote storage facility.

(b) If the charge for providing a copy of public information includes costs of labor, the requestor may require the governmental body's officer for public information or the officer's agent to provide the requestor with a written statement as to the amount of time that was required to produce and provide the copy. The statement must be signed by the officer for public information or the officer's agent and the officer's or the agent's name must be typed or legibly printed below the signature. A charge may not be imposed for providing the written statement to the requestor.

(c) For purposes of Subsection (a), a connection of two buildings by a covered or open sidewalk, an elevated or underground passageway, or a similar facility is insufficient to cause the buildings to be considered separate buildings.

(d) Charges for providing a copy of public information are considered to accrue at the time the governmental body advises the requestor that the copy is available on payment of the applicable charges.

(e) Except as otherwise provided by this subsection, all requests received in one calendar day from an individual may be treated as a single request for purposes of calculating costs under this chapter. A governmental body may not combine multiple requests under this subsection from separate individuals who submit requests on behalf of an organization.

Sec. 552.2615 REQUIRED ITEMIZED ESTIMATE OF CHARGES.

(a) If a request for a copy of public information will result in the imposition of a charge under this subchapter that exceeds \$40, or a request to inspect a paper record will result in the imposition of a charge under Section 552.271 that exceeds \$40, the governmental body shall provide the requestor with a written itemized statement that details all estimated charges that will be imposed, including any allowable charges for labor or personnel costs. If an alternative less costly method of viewing the records is available, the statement must include a notice that the requestor may contact the governmental body regarding the alternative method. The governmental body must inform the requestor of the responsibilities imposed on the requestor by this section and of the rights granted by this entire section and give the requestor the information needed to respond, including:

- (1) that the requestor must provide the governmental body with a mailing, facsimile transmission, or electronic mail address to receive the itemized statement and that it is the requestor's choice which type of address to provide;
- (2) that the request is considered automatically withdrawn if the requestor does not respond in writing to the itemized statement and any updated itemized statement in the time and manner required by this section; and
- (3) that the requestor may respond to the statement by delivering the written response to the governmental body by mail, in person, by facsimile transmission if the governmental body is

capable of receiving documents transmitted in that manner, or by electronic mail if the governmental body has an electronic mail address.

- (b) A request described by Subsection (a) is considered to have been withdrawn by the requestor if the requestor does not respond in writing to the itemized statement by informing the governmental body within 10 business days after the date the statement is sent to the requestor that:
- (1) the requestor will accept the estimated charges;
 - (2) the requestor is modifying the request in response to the itemized statement; or
 - (3) the requestor has sent to the attorney general a complaint alleging that the requestor has been overcharged for being provided with a copy of the public information.
- (c) If the governmental body later determines, but before it makes the copy or the paper record available, that the estimated charges will exceed the charges detailed in the written itemized statement by 20 percent or more, the governmental body shall send to the requestor a written updated itemized statement that details all estimated charges that will be imposed, including any allowable charges for labor or personnel costs. If the requestor does not respond in writing to the updated estimate in the time and manner described by Subsection (b), the request is considered to have been withdrawn by the requestor.
- (d) If the actual charges that a governmental body imposes for a copy of public information, or for inspecting a paper record under Section 552.271, exceeds \$40, the charges may not exceed:
- (1) the amount estimated in the updated itemized statement; or
 - (2) if an updated itemized statement is not sent to the requestor, an amount that exceeds by 20 percent or more the amount estimated in the itemized statement.
- (e) An itemized statement or updated itemized statement is considered to have been sent by the governmental body to the requestor on the date that:
- (1) the statement is delivered to the requestor in person;
 - (2) the governmental body deposits the properly addressed statement in the United States mail; or
 - (3) the governmental body transmits the properly addressed statement by electronic mail or facsimile transmission, if the requestor agrees to receive the statement by electronic mail or facsimile transmission, as applicable.
- (f) A requestor is considered to have responded to the itemized statement or the updated itemized statement on the date that:
- (1) the response is delivered to the governmental body in person;
 - (2) the requestor deposits the properly addressed response in the United States mail; or
 - (3) the requestor transmits the properly addressed response to the governmental body by electronic mail or facsimile transmission.
- (g) The time deadlines imposed by this section do not affect the application of a time deadline imposed on a governmental body under Subchapter G.

**RECORDING FEES FOR LIBERTY COUNTY
EFFECTIVE JANUARY 1, 2017**

First Page	LGC §118.011	\$ 16.00
Each Additional Page	LGC §118.011	\$ 4.00
Each Additional Name to be Indexed in Excess of 5		\$.25
State Tax Liens/Releases		\$ 16.00
Federal Tax Liens/Releases		\$ 21.00
Plats, First Page		\$ 46.00
Each Additional Page		\$ 15.00

FEES OF COUNTY CLERK OTHER THAN COURT FEES
Texas Local Government Code, Subchapter B, Section 118

Sec. 118.011. FEE SCHEDULE.

- (a) A county clerk shall collect the following fees for services rendered to any person:
- (1) Personal Property Records Filing (Sec. 118.012):
 - for the first page . . . \$ 5.00
 - for each additional page or part of a page on which there are visible marks of any kind . . . \$ 4.00
 - (2) Real Property Records Filing (Sec. 118.013):
 - for the first page . . . \$ 5.00
 - for each additional page or part of a page on which there are visible marks of any kind . . . \$ 4.00
 - for all or part of each 8-1/2" X 14" attachment or rider . . . \$ 4.00
 - for each name in excess of five names that has to be indexed in all records in which the document must be indexed . . . \$ 0.25
 - (3) Certified Papers (Sec. 118.014):
 - for the clerk's certificate . . . \$ 5.00
 - plus a fee for each page or part of a page . . . \$ 1.00
 - (4) Noncertified Papers (Sec. 118.0145):
 - for each page or part of a page . . . \$ 1.00
 - (5) Birth or Death Certificate (Sec. 118.015) same as state registrar
 - (6) Bond Approval (Sec. 118.016) . . . \$ 3.00
 - (7) Marriage License (Sec. 118.018) . . . \$60.00
 - (8) Declaration of Informal Marriage (Sec. 118.019) . . . \$25.00
 - (9) Brand Registration (Sec. 118.020) . . . \$ 5.00
 - (10) Oath Administration (Sec. 118.021) . . . \$ 1.00
- (b) The county clerk may set and collect the following fee from any person:
- (1) Returned Check (Sec. 118.0215) . . . not less than \$15 or more than \$30
 - (2) Records Management and Preservation Fee (Sec. 118.0216) . . . not more than \$10
 - (3) Mental Health Background Check for License to Carry a Handgun (Sec. 118.0217) . . . not more than \$2
 - (4) Marriage License for Out-of-State Applicants (Sec. 118.018) . . . \$100
- (c) The clerk shall charge reasonable fees for performing other duties prescribed or authorized by statute for which a fee is not prescribed by this subchapter.
- (d) The county clerk may not charge the United States Immigration and Naturalization Service a fee for a copy of any document on file or of record in the clerk's office relating to an individual's criminal history, regardless of whether the document is certified.
- (e) A county clerk who provides a copy in a format other than paper of a record maintained by the clerk shall provide the copy and charge a fee in accordance with Sections 552.231 and 552.262, Government Code.
- (f) The county clerk of a county shall, if the commissioners court of the county adopts the fee as part of the county's annual budget, collect the following fee from any person:
- (1) Records Archive Fee (Sec. 118.025) . . . not more than \$10
 - (2) Records Technology and Infrastructure Fee (Sec. 118.026) . . . \$2.00
- (g) The county clerk of a county shall, if the commissioners court of the county adopts the fee, collect the following fee from any person:
- Real Property Records Filing (Sec. 118.0131) . . . not more than \$10