

LD7197613

SENATE BILL NO. 1021

Offered January 23, 1995

A BILL to amend and reenact § 14.1-118.1 of the Code of Virginia, relating to information technology in the courts; fee to be collected by clerks of circuit courts.

Patron—Benedetti

Referred to the Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:**1. That § 14.1-118.1 of the Code of Virginia is amended and reenacted as follows:**

§ 14.1-118.1. Assessments by clerks for office and information technology and for providing remote access to certain records.

A. Any circuit court clerk may assess a sum of three dollars as a fee in any civil action and upon any recorded instrument. This fee shall be collected and administered by the clerk of the court in which such action or instrument is filed or recorded. Two dollars of this fee shall be paid into a fund to be administered by the clerk to be utilized solely for the purposes of obtaining office and information technology equipment, including software and conversion services, and for purposes of preserving, maintaining, and enhancing the court records and to improve public access to public court records. One dollar of this fee shall be paid into a special fund to be administered by the state treasurer in cooperation with the circuit court clerks, for the purposes enumerated in this section.

B. Information regarding technological programs obtained by any clerk and the Department of Information Technology, pursuant to this section, shall be shared with The Library of Virginia, and the Office of the Executive Secretary of the Supreme Court.

C. Each circuit court clerk shall prepare an annual budget for the use of such amounts as may be in their respective funds, including estimates of fees collected and projected expenditures for such fees. A copy of these annual budgets shall be provided to the Compensation Board. In addition, the clerk shall provide a copy of his budget to the local governing body for the county or city served by the clerk's court.

D. Nothing herein shall be construed as repealing or in any way affecting the provisions of § 15.1-19, relating to boards of supervisors furnishing certain supplies and equipment necessary for the conduct of the clerks' offices.

E. For the purposes of this section, "maintaining" shall include repairs, maintenance or service contracts and system upgrade costs.

F Any clerk who provides remote access to nonconfidential court records or other records pursuant to §§ 17-59.2 and 17-59.3 shall charge each remote access user a pro rata portion of the cost of their leased line, if any. In addition, a fee for each inquiry made shall be established by the county agency providing computer support in order to cover the operational expenses of such computer support. Such fee shall be charged each user and paid to the clerk's office. Furthermore, the clerk may charge a fee which shall be based upon the cost of providing such service. However, such charges shall not exceed a user fee of seventy-five dollars per month or five cents per inquiry, whichever is greater.

INTRODUCED

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