

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 23, 2003

TO: Honorable Frank Madla, Chair, Senate Committee on Intergovernmental Relations

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB1559 by Madla (Relating to the confidentiality of and access to certain personal information contained in instruments recorded with a county clerk.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would amend the Property Code to require that the first page of an instrument (a deed, mortgage, or deed of trust) executed on or after January 1, 2004, transferring an interest in real property to or from an individual, contain a notice of confidentiality rights written in 12-point boldface type or 12-point uppercase letters. The bill would require the county clerk to post a notice in their office stating that instruments recorded in the real property or official public records and executed after January 1, 2004, are not required to contain a social security number or driver license, and that the instruments are public records available for review by members of the public.

The bill would take effect September 1, 2003 and would apply only to a deed, mortgage, or deed of trust executed on or after January 1, 2004.

The Comptroller of Public Accounts and the Legislative Budget Board each contacted a sampling of county clerks regarding the fiscal impact of the provisions of the bill. The consensus was there would be no or insignificant fiscal impact.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: JK, DLBa