

SENATE AMENDMENTS

2nd Printing

By: Paxton, et al.

H.B. No. 2188

A BILL TO BE ENTITLED

AN ACT

relating to the exception of certain ad valorem tax appraisal information from required disclosure under the public information law.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter C, Chapter 552, Government Code, is amended by adding Section 552.148 to read as follows:

Sec. 552.148. EXCEPTION: RECORDS OF COMPTROLLER OR APPRAISAL DISTRICT RECEIVED FROM PRIVATE ENTITY. (a) Information relating to real property sales prices, descriptions, characteristics, and other related information received from a private entity by the comptroller or the chief appraiser of an appraisal district under Chapter 6, Tax Code, is excepted from the requirements of Section 552.021.

(b) Notwithstanding Subsection (a), before the 14th day preceding the date of a hearing on a property owner's protest brought under Section 41.41, Tax Code, the property owner or the owner's agent may, on request, obtain from the chief appraiser of the applicable appraisal district a copy of each item of information described by Section 41.461(a)(2), Tax Code.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2007.

ADOPTED

MAY 10 2007

Leta Spaw
Secretary of the Senate

By: Williams

H.B. No. 2188

Substitute the following for H.B. No. 2188:

By: Miller

C.S. H.B. No. 2188

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Sec. 552.148. EXCEPTION: RECORDS OF COMPTROLLER OR APPRAISAL DISTRICT RECEIVED FROM PRIVATE ENTITY. (a) Information relating to real property sales prices, descriptions, characteristics, and other related information received from a private entity by the comptroller or the chief appraiser of an appraisal district under Chapter 6, Tax Code, is excepted from the requirements of Section 552.021.

(b) Notwithstanding Subsection (a), the property owner or the owner's agent may, on request, obtain from the chief appraiser of the applicable appraisal district a copy of each item of information described by Section 41.461(a)(2), Tax Code, and a copy of each item of information that the chief appraiser took into consideration but does not plan to introduce at the hearing on the protest. In addition, the property owner or agent may, on request, obtain from the chief appraiser comparable sales data from a reasonable number of sales that is relevant to any matter to be determined by the appraisal review board at the hearing on the

1 property owner's protest. Information obtained under this
2 subsection:

3 (1) remains confidential in the possession of the
4 property owner or agent; and

5 (2) may not be disclosed or used for any purpose except
6 as evidence or argument at the hearing on the protest.

7 (c) Notwithstanding Subsection (a) or Section 403.304,
8 Government Code, so as to assist a property owner, a school
9 district, or an appraisal district in a protest filed under Section
10 403.303, Government Code, the property owner, district, or an agent
11 of the property owner or district may, on request, obtain from the
12 comptroller any information, including confidential information,
13 obtained by the comptroller in connection with the comptroller's
14 finding that is being protested. Confidential information obtained
15 by a property owner, a school district, an appraisal district, or an
16 agent of the owner or district under this subsection:

17 (1) remains confidential in the possession of the
18 owner, district, or agent; and

19 (2) may not be disclosed to a person who is not
20 authorized to receive or inspect the information.

21 SECTION 2. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this
25 Act takes effect September 1, 2007.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 27, 2007

TO: Honorable Robert Duncan, Chair, Senate Committee on State Affairs

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2188 by Paxton (Relating to the exception of certain ad valorem tax appraisal information from required disclosure under the public information law.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

The bill would add a new section to Chapter 552 of the Government Code to exempt from open records requirements information relating to real property sales prices, descriptions, characteristics, and other related information received from a private entity by the Comptroller or the chief appraiser.

The bill would allow a property owner to receive from the appraisal district information the chief appraiser planned to introduce at the appraisal review board hearing.

The bill would take effect immediately upon enactment, assuming that it received the requisite two-thirds majority votes in both houses of the Legislature. Otherwise, it would take effect September 1, 2007.

Passage of this bill would establish procedural rules concerning the use of certain documents in appraisal review board hearings and would have no fiscal impact to the state or units of local government.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: JOB, KJG, CT

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 20, 2007

TO: Honorable Robert Duncan, Chair, Senate Committee on State Affairs

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2188 by Paxton (Relating to the exception of certain ad valorem tax appraisal information from required disclosure under the public information law.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill would add a new section to Chapter 552 of the Government Code to exempt from open records requirements information relating to real property sales prices, descriptions, characteristics, and other related information received from a private entity by the Comptroller or the chief appraiser.

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Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: JOB, KJG, CT

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

March 29, 2007

TO: Honorable Fred Hill, Chair, House Committee on Local Government Ways & Means

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2188 by Paxton (Relating to the exception of certain ad valorem tax appraisal information from required disclosure under the public information law.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would add a new section to Chapter 552 of the Government Code to exempt from open records requirements information relating to real property sales prices, descriptions, characteristics, and other related information received from a private entity by the Comptroller or the chief appraiser.

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Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: JOB, CT, KJG

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

March 21, 2007

TO: Honorable Fred Hill, Chair, House Committee on Local Government Ways & Means

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2188 by Paxton (Relating to the exception of certain ad valorem tax appraisal information from required disclosure under the public information law.), **As Introduced**

No fiscal implication to the State is anticipated.

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Passage of this bill would establish procedural rules concerning the use of certain documents in appraisal review board hearings and would have no fiscal impact to the state or units of local government.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: JOB, CT, KJG