

BILL ANALYSIS

H.B. 649
By: Davis, Yvonne
Ways & Means
Committee Report (Amended)

BACKGROUND AND PURPOSE

Currently, some appraisal districts provide Internet listings of information relating to property owners' tax appraisal records. Some districts include in this online listing the physical address of the property, a description, and the name of the owner of the property. This bill seeks to provide security and privacy for property owners.

H.B. 649 allows the homeowner to request a chief appraiser to exclude the property owner's name from property-related information posted on the Internet by the appraisal district, a taxing unit, or a tax assessor or collector.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 649 amends the Tax Code to prohibit an appraisal district, a taxing unit, or a tax assessor or collector from posting the name of the owner of property included in the appraisal records if the owner chooses to prohibit online disclosure of that information. The bill requires the property owner, in order to prohibit the online disclosure of the information, to submit a request to that effect to the chief appraiser on a form prescribed for that purpose by the comptroller of public accounts. The bill applies this prohibition to the appraisal district, to each taxing unit that participates in the district, and to the assessor and collector for each of those taxing units.

H.B. 649 requires an appraisal district, taxing unit, or tax assessor or collector that posts appraisal record information on the Internet to provide notice, on the main Internet site that provides the means to search or access appraisal records, of a property owner's right to prohibit online disclosure of the owner's name in connection with property included in the appraisal records and the procedure for prohibiting disclosure of that information. The bill provides that the choice of a property owner to prohibit such name disclosure remains valid until the owner rescinds the decision in writing.

H.B. 649 allows the online disclosure of information in appraisal records that identifies property according to an address if the information does not identify an owner who has chosen to prohibit disclosure of the owner's name in connection with the property.

EFFECTIVE DATE

September 1, 2009.

EXPLANATION OF AMENDMENTS

Committee Amendment No. 1

H.B. 649 is amended to change, from a property owner to a property owner who is a local, state, or federal official who holds elective office, the designation of who may choose to prohibit online disclosure of the property owner's name by an appraisal district, a taxing unit, or a tax assessor or collector. The bill is amended to make a corresponding identical change in the provision requiring an appraisal district, taxing unit, or tax collector or assessor to post Internet notice of the owner's right to withhold the name and the procedure for exercising that right.

H.B. 649 is amended to revise provisions controlling when the prohibition expires, changing when the nondisclosure choice is rescinded to the earlier of either the date on which the choice is rescinded in writing by the owner or when the owner is no longer a local, state, or federal official who holds elective office.