

BILL ANALYSIS

C.S.S.B. 1320
By: Wentworth
State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Numerous governmental agencies in Texas, such as appraisal districts, provide geospatial data and mapping products to the public that appear to represent property boundaries, when in fact, these represented boundaries are not the direct result of an on-the-ground survey conducted by a registered professional land surveyor.

C.S.S.B. 1320 requires that certain geospatial data products created or hosted by a governmental body that are not produced from an on-the-ground survey include an appropriate disclaimer.

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

C.S.S.B. 1320 amends the Government Code to require a governmental entity to include a notice on each geospatial data product that is created or hosted by the governmental entity, appears to represent property boundaries, and was not produced using information from an on-the-ground survey conducted by or under the supervision of a registered professional land surveyor. The bill requires the notice to be in substantially the following form: "This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and only represents the approximate relative location of property boundaries." The bill authorizes the notice to include language further defining the limits of liability of a geospatial data product producer, or to apply to a geospatial data product that contains more than one map. The bill, for a notice that applies to a geospatial data product that is an Internet website or is on an Internet website, authorizes the notice to be included on a separate page that requires the person accessing the website to agree to the terms of the notice before accessing the geospatial data product.

C.S.S.B. 1320 specifies that a governmental entity is not required to include the notice on a geospatial data product that does not contain a legal description, property boundary monument, or the distance and direction of a property line, or that is prepared only for use as evidence in a legal proceeding.

C.S.S.B. 1320 defines "geospatial data product" as a document, computer file, or Internet website that contains geospatial data, a map, or information about a service involving geospatial data or a map. The bill defines "governmental entity" and "registered professional land surveyor."

EFFECTIVE DATE

September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.S.B. 1320 adds a provision not in the original that specifies that a governmental entity is not required to include the notice on a geospatial data product that does not contain a legal description, property boundary monument, or the distance and direction of a property line, or that is prepared only for use as evidence in a legal proceeding.