

By: Smith of Harris

H.B. No. 1677

A BILL TO BE ENTITLED

AN ACT

relating to notice by a governmental entity regarding certain geospatial data products.

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

SECTION 1. Chapter 2051, Government Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. GEOSPATIAL DATA PRODUCTS

Sec. 2051.101. DEFINITIONS. In this subchapter:

(1) "Geospatial data product" means a document, computer file, or Internet website that contains:

(A) geospatial data;

(B) a map; or

(C) information about a service involving geospatial data or a map.

(2) "Governmental entity" has the meaning assigned by Section 2051.041.

(3) "Registered professional land surveyor" has the meaning assigned by Section 1071.002, Occupations Code.

Sec. 2051.102. NOTICE REQUIRED. (a) A governmental entity shall include a notice as provided by this subchapter on each geospatial data product that:

(1) is created or hosted by the governmental entity;

(2) appears to represent property boundaries; and

(3) was not produced using information from an

1 on-the-ground survey conducted by or under the supervision of a
2 registered professional land surveyor.

3 (b) The notice required under Subsection (a) must be in
4 substantially the following form:

5 This product is for informational purposes and may not have
6 been prepared for or be suitable for legal, engineering, or
7 surveying purposes. It does not represent an on-the-ground survey
8 and only represents the approximate relative location of property
9 boundaries.

10 (c) The notice required under Subsection (a) may:

11 (1) include language further defining the limits of
12 liability of a geospatial data product producer;

13 (2) apply to a geospatial data product that contains
14 more than one map; or

15 (3) for a notice that applies to a geospatial data
16 product that is or is on an Internet website, be included on a
17 separate page that requires the person accessing the website to
18 agree to the terms of the notice before accessing the geospatial
19 data product.

20 SECTION 2. This Act takes effect September 1, 2009.