

1-1 By: Wentworth S.B. No. 1320
1-2 (In the Senate - Filed March 4, 2009; March 17, 2009, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; April 6, 2009, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;
1-6 April 6, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1320 By: Wentworth
1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to notice by a governmental entity regarding certain
1-11 geospatial data products.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-13 SECTION 1. Chapter 2051, Government Code, is amended by
1-14 adding Subchapter E to read as follows:

1-15 SUBCHAPTER E. GEOSPATIAL DATA PRODUCTS
1-16 Sec. 2051.101. DEFINITIONS. In this subchapter:

1-17 (1) "Geospatial data product" means a document,
1-18 computer file, or Internet website that contains:

1-19 (A) geospatial data;
1-20 (B) a map; or
1-21 (C) information about a service involving
1-22 geospatial data or a map.

1-23 (2) "Governmental entity" has the meaning assigned by
1-24 Section 2051.041.

1-25 (3) "Registered professional land surveyor" has the
1-26 meaning assigned by Section 1071.002, Occupations Code.

1-27 Sec. 2051.102. NOTICE REQUIRED. (a) A governmental entity
1-28 shall include a notice as provided by this subchapter on each
1-29 geospatial data product that:

1-30 (1) is created or hosted by the governmental entity;
1-31 (2) appears to represent property boundaries; and
1-32 (3) was not produced using information from an
1-33 on-the-ground survey conducted by or under the supervision of a
1-34 registered professional land surveyor.

1-35 (b) The notice required under Subsection (a) must be in
1-36 substantially the following form:

1-37 This product is for informational purposes and may not have
1-38 been prepared for or be suitable for legal, engineering, or
1-39 surveying purposes. It does not represent an on-the-ground survey
1-40 and represents only the approximate relative location of property
1-41 boundaries.

1-42 (c) The notice required under Subsection (a) may:

1-43 (1) include language further defining the limits of
1-44 liability of a geospatial data product producer;

1-45 (2) apply to a geospatial data product that contains
1-46 more than one map; or

1-47 (3) for a notice that applies to a geospatial data
1-48 product that is or is on an Internet website, be included on a
1-49 separate page that requires the person accessing the website to
1-50 agree to the terms of the notice before accessing the geospatial
1-51 data product.

1-52 SECTION 2. For geospatial data products that are printed
1-53 documents, Section 2051.102, Government Code, as added by this Act,
1-54 applies only to a document printed on or after the effective date of
1-55 this Act. A document printed before the effective date of this Act
1-56 is governed by the law in effect on the date the document was
1-57 printed, and the former law is continued in effect for that purpose.

1-58 SECTION 3. This Act takes effect September 1, 2009.

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