

BILL ANALYSIS

Senate Research Center
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H.B. 1147
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Open Government
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Appraisal districts and other governmental entities often provide geospatial data products to the public that appear to represent property boundaries but that in reality are not the direct result of an on-the-ground survey conducted by a registered professional land surveyor. H.B. 1147 attempts to prevent the public from being misled about the nature of information provided by a geospatial data product or service by requiring a governmental entity to provide a notice, in a form specified by the bill, on certain geospatial data products created or hosted by the governmental entity.

H.B. 1147 amends current law relating to notice by a governmental entity regarding certain geospatial data products.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 2051, Government Code, by adding Subchapter D, as follows:

SUBCHAPTER D. GEOSPATIAL DATA PRODUCTS

Sec. 2051.101. DEFINITIONS. Defines, in this subchapter, "geospatial data product," "governmental entity," and "registered professional land surveyor."

Sec. 2051.102. NOTICE REQUIRED. (a) Requires a governmental entity to 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 on-the-ground survey conducted by or under the supervision of a registered professional land surveyor or land surveyor authorized to perform surveys under laws in effect when the survey was conducted.

(b) Sets forth the required language of the notice.

(c) Authorizes the notice required under Subsection (a) to:

- (1) include language further defining the limits of liability of a geospatial data product producer;
- (2) apply to a geospatial data product that contains more than one map; or

(3) for a notice that applies to a geospatial data product that is or is on an Internet website, 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.

Sec. 2051.103. EXEMPTION. Provides that a governmental entity is not required to include the notice required under Section 2051.102 on a geospatial data product that:

- (1) does not contain a legal description, a property boundary monument, or the distance and direction of a property line;
- (2) is prepared only for use as evidence in a legal proceeding;
- (3) is filed with the clerk of any court; or
- (4) is filed with the county clerk.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2011.