

## **BILL ANALYSIS**

Senate Research Center  
82R7995 ACP-D

S.B. 1130  
By: Hegar  
Open Government  
4/5/2011  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

H.B. 2188, 80th Legislature, Regular Session, 2007, specified that real property sales prices, descriptions, characteristics, and other related information was protected from disclosure under open records laws. The purpose of the bill was to protect against data dump requests made by individuals seeking the difficult-to-obtain comparable real estate price information compiled at considerable cost by multiple listing services. This situation created a significant problem for rural homeowners considering protesting their appraised homestead value because they were prohibited from accessing comparable sales information before filing a protest. Access to comparable sales information is fundamental to the decision process and lack thereof is problematic not just to the homeowner, but also to the appraisal review board, who are burdened by increased protests, a costly and preventable proposition. During the 81st Legislature, H.B. 2941 exempted counties with populations of less than 20,000 from the open records exclusion. This exemption did not conflict with H.B. 2188 because small counties do not have multiple listing services' data. S.B. 1130 expands that exemption to statutorily defined rural counties with populations of 150,000 and fewer, which also do not have multiple listing services' data.

As proposed, S.B. 1130 amends current law relating to the exception from required public disclosure of certain records of an appraisal district.

### **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 Section 552.149(e), Government Code, to provide that this section applies to information described by Subsections (a) (relating to certain information received from a private entity by the comptroller of public accounts or the chief appraiser of an appraisal district being excepted from certain requirements), (c) (relating to authorizing obtaining certain information from the comptroller of public accounts), and (d) (relating to the applicability of this section) and to an item of information or comparable sales data described by Subsection (b) (relating to authorizing obtaining certain information from the chief appraiser of the applicable appraisal district) only if the information, item of information, or comparable sales data relates to real property that is located in a county having a population of more than 150,000, rather than a population of 20,000 or more.

SECTION 2. Effective date: upon passage or September 1, 2011.