

By: Smith of Harris

H.B. No. 1147

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to notice by a governmental entity regarding certain  
3 geospatial data products.

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

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

7 SUBCHAPTER D. GEOSPATIAL DATA PRODUCTS

8 Sec. 2051.101. DEFINITIONS. In this subchapter:

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

11 (A) geospatial data;

12 (B) a map; or

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

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

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

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

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

23 (2) appears to represent property boundaries; and

24 (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 represents only 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 Sec. 2051.103. EXEMPTION. A governmental entity is not  
21 required to include the notice required under Section 2051.102 on a  
22 geospatial data product that:

23 (1) does not contain a legal description, a property  
24 boundary monument, or the distance and bearing of a property line;  
25 or

26 (2) is prepared only for use as evidence in a legal  
27 proceeding.

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

7           SECTION 3. This Act takes effect September 1, 2011.