

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 D to read as follows:

SUBCHAPTER D. 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 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 direction of a property
25 line; 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.