

## **BILL ANALYSIS**

C.S.H.B. 285  
By: Springer  
Ways & Means  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

There are concerns that restrictions intended to limit the potential for criminal use of information that appraisal districts post online are preventing property owners from having online access to basic appraisal information regarding their property, which forces a property owner seeking such information to physically retrieve the information from the local appraisal office. Interested parties contend that allowing a basic sketch of property to be posted online would enable a property owner to more easily access appraisal information that could assist the owner in contesting property taxes. In an effort to address this issue, C.S.H.B. 285 seeks to provide property owners online access to certain basic property information without resulting in the disclosure of vulnerable property features.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 285 amends the Tax Code to exclude from the prohibition against posting on the Internet information in certain residential property appraisal records a street level photograph of only the exterior of a building or a field record or overhead sketch of a property that depicts only the following: the outline of one or more buildings on the property; the location of an interior wall in an outlined building located on the property that separates the main living area of the building from an ancillary space such as a garage, patio, or porch; the general landscape features of the property; and the dimensions of or distances between the buildings and features depicted. The bill changes the type of aerial photographs excluded from the prohibition from an aerial photograph that depicts five or more separately owned buildings to an aerial photograph that depicts more than one separately owned building.

C.S.H.B. 285 authorizes the owner of an improvement to certain residential property to submit a written request to the chief appraiser of the appraisal district in which the property is located requesting that the district's website not include information that identifies the person as the property's owner. The bill, if such a request is made, prohibits the appraisal district from posting such information on its website and requires the district to remove the information from the website as soon as practicable. The bill requires an appraisal district to post and maintain on its website a statement informing property owners of the right to make such a request.

**EFFECTIVE DATE**

September 1, 2015.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 285 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

**INTRODUCED**

**HOUSE COMMITTEE SUBSTITUTE**

SECTION 1. Section 25.027(b), Tax Code, is amended to read as follows:

SECTION 1. Section 25.027, Tax Code, is amended by amending Subsection (b) and adding Subsections (c) and (d) to read as follows:

(b) This section does not apply to:  
(1) an aerial photograph that depicts five or more separately owned buildings; or

(b) This section does not apply to:  
(1) an aerial photograph that depicts ~~five or~~ more than one separately owned building ~~[buildings];~~

(2) an overhead sketch of the property that depicts only:

(2) a street level photograph of only the exterior of a building; or

(A) the outline of one or more buildings on the property;

(3) a field record or overhead sketch of the property that depicts only:

(B) the general landscape features of the property, including ponds, pools, and walls; and

(A) the outline of one or more buildings on the property;

(C) the dimensions of or distances between the buildings and features depicted.

(B) the location of an interior wall in an outlined building located on the property that separates the main living area of the building from an ancillary space such as a garage, patio, or porch;

(C) the general landscape features of the property, including ponds, pools, and walls; and

(D) the dimensions of or distances between the buildings and features depicted.

No equivalent provision.

(c) The owner of an improvement to real property described by Subsection (a) may submit a written request to the chief appraiser of the appraisal district in which the property is located requesting that the appraisal district's Internet website not include information that identifies the person as the owner of the property. If a request is made under this subsection, the appraisal district may not post information on, and must as soon as practicable remove information from, the district's Internet website that identifies the requestor as the owner of the property described in the request.

No equivalent provision.

(d) An appraisal district shall post and maintain on the appraisal district's Internet

website a statement informing property owners of the right to make a request under Subsection (c).

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

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