

By: Springer

H.B. No. 3257

A BILL TO BE ENTITLED

AN ACT

Relating to the preparation of appraisal records.

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

SECTION 1. Section 25.01, Tax Code, is amended by amending Subsection (b) and adding new Subsection (c-1) to read as follows:

(b) The board of directors of the district [~~chief appraiser~~] with the advice of the chief appraiser [~~approval of the board of directors of the district~~] may contract with a private appraisal firm to perform appraisal services for the district with such services subject to the chief appraiser's [~~his~~] approval. The comptroller by rule shall prescribe the form and content of contracts for private appraisal services as authorized by this section. A contract for private appraisal services is void if the amount of compensation to be paid the private appraisal firm is contingent on the amount of or increase in appraised, assessed, or taxable value of property appraised by the appraisal firm.

(c) A contract for appraisal services for an appraisal district is invalid if it does not provide that copies of the appraisal, together with supporting data, must be made available to the appraisal district and such appraisals and supporting data shall be public records. A private appraisal firm's [~~"Supporting data" shall not be construed to include~~] personal notes, correspondence, working papers, thought processes, or any other matters of a privileged or proprietary nature are confidential and

1 may not be disclosed except as authorized by subsection (c-1) of
2 this section. [-]

3 (c-1) Information made confidential by this section may be
4 disclosed:

5 (1) in a judicial proceeding pursuant to a lawful
6 subpoena; and

7 (2) to the comptroller, an employee of the comptroller
8 authorized by the comptroller in writing to receive the
9 information, or to a chief appraiser if requested in writing. A
10 private appraisal firm's personal notes, correspondence, working
11 papers, thought processes, or any other matters of a privileged or
12 proprietary nature provided to the comptroller, an employee of the
13 comptroller, or the appraisal office under this subsection shall
14 remain confidential in the hands of the comptroller or
15 comptroller's employees or the appraisal office.

16 SECTION 2. Section 5.102, Tax Code, is amended by amending
17 Subsections (a) and (b) to read as follows:

18 (a) At least once every two years, the comptroller shall
19 review the governance of each appraisal district, taxpayer
20 assistance provided, and the operating and appraisal standards,
21 procedures, and methodology used by each appraisal district and any
22 private appraisal firms contracted to perform appraisal services
23 for the appraisal district under Section 25.01 of this title, to
24 determine compliance with generally accepted standards,
25 procedures, and methodology. After consultation with the advisory
26 committee created under Section 403.302, Government Code, the
27 comptroller by rule may establish procedures and standards for

1 conducting and scoring the review.

2 (b) In conducting the review, the comptroller is entitled to
3 access to all records and reports of the appraisal district and to
4 all records, reports and materials concerning appraisal services
5 performed by private appraisal firms for the appraisal district, to
6 copy or print any record or report of the appraisal district or to
7 copy or print any record, report or material concerning appraisal
8 services performed by private appraisal firms for the appraisal
9 district, and to the assistance of the appraisal district's
10 officers and employees.

11 SECTION 3. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2015.