

SUBJECT: Exception from public disclosure of certain appraisal district records

COMMITTEE: Ways and Means — favorable, without amendment

VOTE: 7 ayes — Hilderbran, Otto, Elkins, Gonzalez, Lyne, Murphy, Woolley
0 nays
4 absent — Christian, Martinez Fischer, Ritter, Villarreal

SENATE VOTE: On final passage, April 21 — 31-0, on Local and Uncontested Calendar

WITNESSES: No public hearing

BACKGROUND: Government Code, sec. 552.149 exempts from public disclosure information on real property sales prices, descriptions, characteristics, and other information on real property received from a private entity by the comptroller or a local appraisal district. This section does not apply to counties with populations of fewer than 20,000 people.

DIGEST: SB 1130 would extend the exemption in Government Code, sec. 552.149 to cover counties of fewer than 50,000.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2011.

SUPPORTERS SAY: SB 1130 would ease administrative burdens on smaller counties while still adequately protecting private information. Appraisers use information on sales of comparable properties when valuing an individual property. Information on comparable sales often comes from private third parties, such as multiple listing services (MLS). This information is proprietary and confidential and shared only with privacy agreements in place. Sec. 552.149 helps to protect this proprietary data.

The bill would extend the existing exemption for the smallest counties by allowing appraisal offices in counties with fewer than 50,000 people to share information on comparable sales, regardless of source, with anyone

who requests it without the hassle and expense of a formal protest. This information already can be shared when a taxpayer formally protests the appraisal of his or her property as set by the local appraisal district. This has led to more formal protests across Texas because it is one of the only mechanisms for a taxpayer to obtain information on comparable sales data. In smaller counties, this increase in protests has been very burdensome administratively on local officials.

Limiting the exemption to counties of fewer than 50,000 would be sensible. Private and proprietary information still would be largely protected because databases like MLS tend to exist in larger counties where their information is of much greater value. Disclosure of this information in smaller counties would not be significantly detrimental to third parties.

OPPONENTS
SAY:

No apparent opposition.