

BILL ANALYSIS

S.B. 334
By: Johnson
Ways & Means
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Recently enacted legislation intended to allow private property information to be shared with appraisal districts while also ensuring the information remained exempt from disclosure under state public information law. However, concerns have been raised regarding certain issues that have emerged with regard to this exception. While information must be provided to a property owner or agent during the protest process, similar language allowing for use of this information in arbitrations does not exist, effectively prohibiting an appraisal district from releasing private property information to an agent who is representing the property owner during arbitration but who did not represent that property owner during the protest process. It has been suggested that these provisions continue to cause unnecessary litigation. Additionally, interested parties have noted that the fact that the privacy exceptions apply only to a county with a population under 50,000 can lead to an unwillingness to share information with the central appraisal districts in those counties. It has been suggested that allowing the exceptions in the smaller counties would increase the accuracy of the appraisals in applicable districts. S.B. 334 seeks to address these issues by providing for the disclosure of certain appraisal district records under state public information law.

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

S.B. 334 amends the Government Code to authorize a property owner or the owner's agent to obtain on request from the chief appraiser of the applicable appraisal district comparable sales data from a reasonable number of sales that is relevant to any matter to be determined by the arbitrator at the hearing on the property owner's appeal of the appraisal review board's order determining the property owner's protest. The bill excepts from the prohibition against disclosure or use of certain information obtained from the chief appraiser the disclosure or use of the information by the property owner or the owner's agent as evidence or argument at the hearing on the protest. The bill repeals a provision limiting the applicability of the exception from the public availability requirement of state public information law for certain information, items of information, and comparable sales data received from a private entity by the comptroller of public accounts or a chief appraiser to information, items of information, and comparable sales data relating to real property that is located in a county having a population of more than 50,000.

S.B. 334 repeals Section 552.149(e), Government Code.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.