

## **BILL ANALYSIS**

Senate Research Center  
81R11367 JD-D

S.B. 1813  
By: Duncan  
State Affairs  
4/5/2009  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The 80th Legislature, Regular Session, 2007, passed H.B. 2188, which made records submitted to an appraisal district by a private entity confidential. The intent behind H.B. 2188 was to protect information obtained by an appraisal district via subscription to a multiple listing service (MLS). However, this provision has proven to be a hurdle for appraisers in counties that do not have an MLS. In those small, rural counties, appraisers are unable to obtain the information needed to perform property appraisals.

As proposed, S.B. 1813 creates an exception to the confidentiality provisions under Section 552.148, Government Code, for licensed appraisers. The bill prohibits disclosure of such information to unauthorized persons and prohibits its use for a commercial purpose other than the appraisal of the specific parcel of property.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 552.148, Government Code, as added by Chapter 471 (H.B. 2188), Acts of the 80th Legislature, Regular Session, 2007, by adding Subsection (d), as follows:

(d) Authorizes a person who holds a certificate or license issued under Chapter 1103 (Real Estate Appraisers), Occupations Code, to obtain from the chief appraiser of an appraisal district any information, including confidential information, held by the appraisal district that relates to a parcel of real property that the person has been engaged to appraise. Provides that confidential information obtained by a person under this subsection otherwise remains confidential in the possession of the person; is prohibited from being disclosed to a person who is not authorized to receive or inspect the information; and is prohibited from being used for a commercial purpose other than the appraisal of the specific parcel of real property

SECTION 2. Effective date: upon passage or September 1, 2009.