

BILL ANALYSIS

Senate Research Center
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S.B. 46
By: Zaffirini
Business and Commerce
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, chief appraisers or their representatives can photograph a business establishment's interior without the consent of the establishment's owner. This invasion of privacy could lead to public dissemination of certain information placing business owners at great risk of trade secrets exposure, theft, and other crimes. Photographs displaying expensive inventory, security systems, and even family portraits could be used to perpetrate crimes if they fall into malicious hands.

It is uncertain legally whether photographs taken for appraising purposes are subject to open records requests. There is a pressing need for legal certainty regarding the availability of appraisal photographs to the general public via open records requests.

S.B. 46 establishes that any photograph of the interior of a property being appraised for tax assessment purposes is exempt from open records requests.

As proposed, S.B. 46 amends current law relating to the confidentiality of certain property tax appraisal photographs.

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 Subchapter C, Chapter 552, Government Code, by adding Section 552.155, as follows:

Sec. 552.155. EXCEPTION: CONFIDENTIALITY OF CERTAIN PROPERTY TAX APPRAISAL PHOTOGRAPHS. Provides that a photograph that is taken by the chief appraiser of an appraisal district or the chief appraiser's authorized representative for property tax appraisal purposes and that shows the interior of an improvement to property is confidential and excepted from the requirements of Section 552.021 (Availability of Public Information).

SECTION 2. Effective date: September 1, 2015.