

CAD Administration Legislative Update

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Introduction

88th Legislative Sessions

- ❖ Regular Session – *Some Stuff*
- ❖ Special Session 1 - **NOTHING**
- ❖ Special Session 2 - *Property Tax Relief*
- ❖ Special Session 3 ?
School Vouchers?



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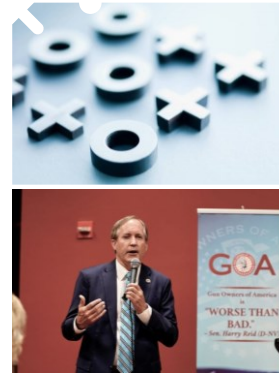


Agenda

- +Criminals, Ransomware & AG Opinions
- +TLO & Population based changes
- +Public Notices & Workplace Violence
- +Digital Licenses & TDLR
- +Confidentiality

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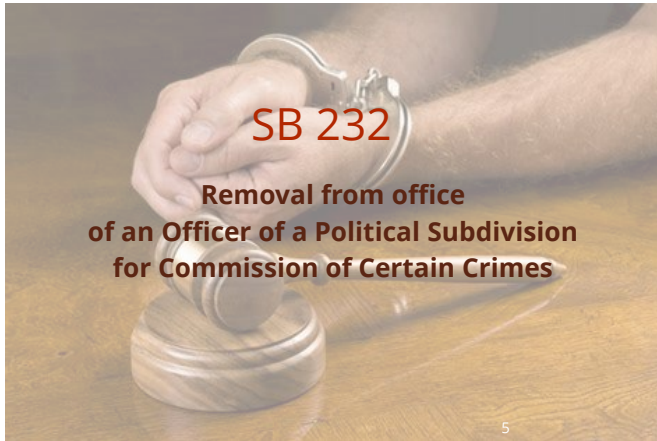


Topic One

Criminals in Office, Ransomware & Attorney General Opinions

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SB 232

A person who holds an elected or appointed office of a political subdivision is automatically removed from and vacates the office on the earlier of the date the person:

1. Pleads guilty or no contest,
2. Receives deferred adjudication, or
3. Is convicted of the qualifying offense.

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SB 232

A "Qualifying Offense" is one of the following:

1. Bribery,
2. Theft of public money,
3. Perjury,
4. Coercion of public servant or voter,
5. Tampering with governmental record,
6. Misuse of official information,
7. Abuse of official capacity, or
8. Conspiracy or attempt to commit any of these.

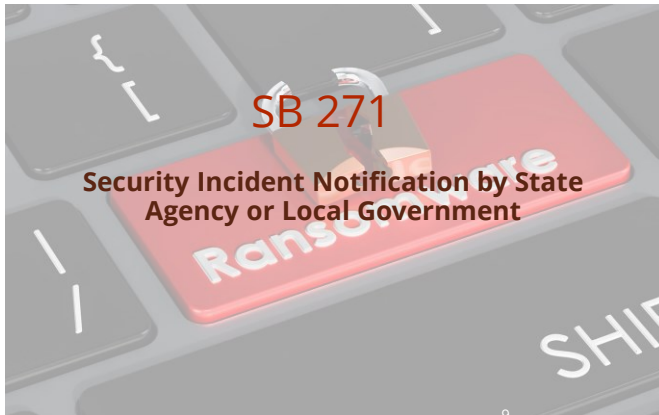
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SB 232

At their first regularly scheduled meeting after the officer is removed under this section, the governing body shall

1. Order an election on the question of filling the vacancy, if required; or
2. Fill the vacancy as provided by law.

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SB 271

A local government that maintains computerized data that includes . . . confidential information, or information the disclosure of which is regulated by law and experiences a “Security Incident” must comply with Section 2054.603 of the Government Code in reporting the breach.

SB 271

“Security Incident”

A breach or suspected breach of security as defined by Section 521.053 of the Business and Commerce Code AND

The introduction of ransomware into a computer, computer network, or computer system.

SB 271

“Security Incident”

The unauthorized acquisition of computerized data that compromises the security, confidentiality, or integrity of sensitive personal information; and

The introduction of ransomware into a computer, computer network, or computer system.

SB 271

A local government that maintains confidential information and experiences a “Security Incident” must comply with Section 521.053 of the Business & Commerce Code that requires:

1. Disclose to any person whose information was or is reasonably believed to have been acquired by an unauthorized person without unreasonable delay, but no later than 60 days after discovery of the breach.

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SB 271

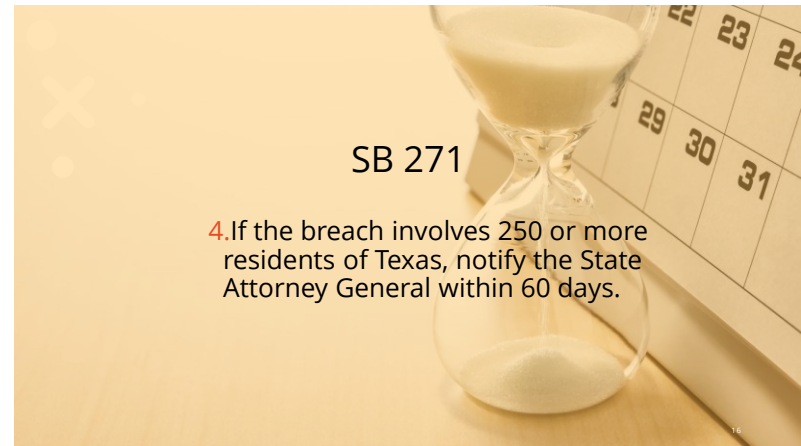
2. Notice can be in writing or electronic and, under certain circumstances can be posted on your website.

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SB 271

3. Notify each consumer reporting agency if over 10,000 people require noticing.

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SB 271

4. If the breach involves 250 or more residents of Texas, notify the State Attorney General within 60 days.

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SB 271

5. Within 48 hours of discovering the Incident, report the incident to the Chief Information Security Officer of the Texas Department of Information Resources.

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SB 271

6. If Election data is involved, notify the Secretary of State; and
7. Comply with all rules of the Department of Information Resources.

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SB 271

- + Section 2054.603 of the Government Code
- + Section 521.053 of the Business & Commerce Code

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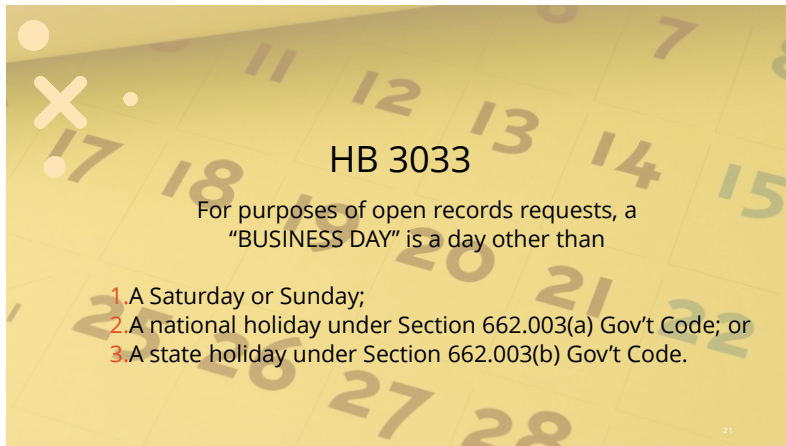
HB 3033

TEXAS PUBLIC
INFORMATION ACT



**Speeding up the Public Information
Request Process**

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HB 3033

For purposes of open records requests, a
"BUSINESS DAY" is a day other than

1. A Saturday or Sunday;
2. A national holiday under Section 662.003(a) Gov't Code; or
3. A state holiday under Section 662.003(b) Gov't Code.

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HB 3033

A national holiday under Section 662.003(a) Gov't Code:

- (1) January 1st, "New Year's Day";
 - (2) the third Monday in January, "Martin Luther King, Jr., Day";
 - (3) the third Monday in February, "Presidents' Day";
 - (4) the last Monday in May, "Memorial Day";
 - (5) July 4th, "Independence Day";
 - (6) the first Monday in September, "Labor Day";
 - (7) November 11th, "Veterans Day,";
 - (8) the fourth Thursday in November, "Thanksgiving Day"; and
 - (9) December 25th, "Christmas Day."
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HB 3033

A state holiday under Section 662.003(b) Gov't Code:

- 1) January 19th, "Confederate Heroes Day," in honor of Jefferson Davis, Robert E. Lee, and other Confederate heroes;
- 2) March 2nd, "Texas Independence Day";
- 3) April 21st, "San Jacinto Day";
- 4) June 19th, "Emancipation Day in Texas," in honor of the emancipation of the slaves in Texas in 1865;
- 5) August 27th, "Lyndon Baines Johnson Day," in observance of the birthday of Lyndon Baines Johnson;
- 6) the Friday after Thanksgiving Day;
- 7) December 24th; and
- 8) December 26th.

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HB 3033

The attorney general may require each public official of a governmental body to complete the course of training if the AG determines that the governmental body has failed to comply with a requirement of the Public Information Laws under Chapter 552 of the Gov't Code.

The government official who receives notice from the AG, has 60 days from receiving the notice to complete the training.

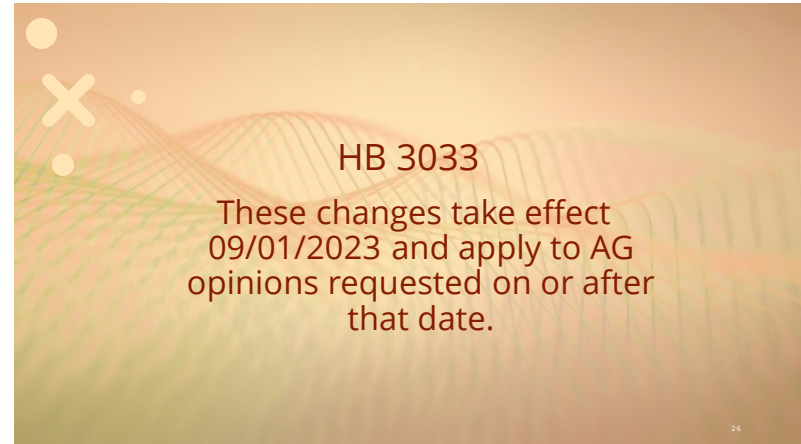
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HB 3033

Within 30 days from the AG issuing an opinion on a public information request the governmental body must:	Provide the requestor an itemized estimate of charges to produce the information;
	If the requested info is voluminous, provide the requestor with notification and take steps to disclose in batches or over a reasonable amount of time;
	Produce the information, if required;
	Notify the requestor in writing that the governmental body is withholding the information as authorized in the AG opinion; or
	Notify the requestor in writing that the governmental body has filed suit against the AG regarding the info.

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HB 3033

By January 1, 2024, the office of the attorney general shall make available on the office's Internet website an easily accessible and searchable database consisting of

1. Each request for an AG opinion;
2. The AG opinion for each request.

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Topic Two

TLO & Population based changes



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HB 1285: Taxpayer Liaison Officer

(Still only required in counties with
population greater than 120,000)



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Amends Tax Code Section 5.06.

Comptroller shall prepare and electronically
publish a TAXPAYER ASSISTANCE PAMPHLET that

explains remedies to dissatisfied taxpayers,

describes the functions of a taxpayer liaison
officer, and

provides advice on preparing and presenting
protests to the ARB under Chapter 41.

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HB 1285

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HB 1285

Amends Tax Code Section 6.052.

The CAD BOD may appoint one or more deputy TLOs to assist the TLO.

The Comptroller shall establish training program for TLOs and deputy TLOs. Can be online, at least 2 hours long, sets out duties and responsibilities of TLO and deputy TLO and provides a certificate of completion to be submitted to the CAD BOD.

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HB 1285

The TLO and deputy TLOs must complete the Comptroller TLO training AND the comptroller ARB training within one year of being appointed and again in each even numbered year.

TLO is responsible for publicizing the availability of positions on the ARB.

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HB 1285

Property owners can file a complaint with the TLO requesting resolution of a dispute with the CAD or ARB about a matter that does not relate to the appraisal of property.

TLO may dismiss if the complaint pertains to the appraised value of a property, or the appraisal methodology used or if the complaint is repetitive or fails to state a legitimate concern.

TLO has 90 days to notify taxpayer of resolution to the complaint who cannot appeal.

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HB 1285

The CAD must post on its website the name, contact information, and a description of the duties of the TLO.

A link to the information about the TLO must also be prominent on the home page of the CAD website.

The CAD BOD will evaluate the performance of the TLO and deputy TLOs annually. Must include a review of the timeliness of the TLO's resolution of complaints.

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HB 1285

Amends Tax Code Section 41.66(q)

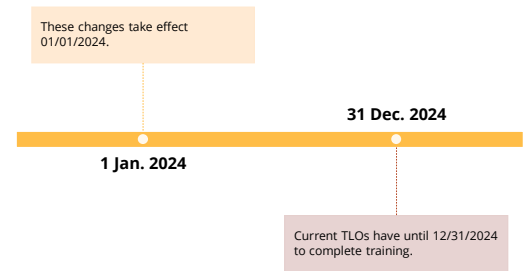
If the TLO gets a complaint about the ARB not complying with hearing procedures, the TLO shall investigate and report to the BOD for the CAD.

The BOD can direct the ARB Chair to take remedial action and may refer the matter to the administrative law judge to remove that ARB member as Chair.

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HB 1285



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HB 4559: Population Based Changes



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HB 4559

HB 4559 amends various state codes and provisions in the Civil Statutes to revise the population-based descriptions of certain political subdivisions based on updated data from the 2020 federal census so that the applicable laws continue to apply to those subdivisions.

Effective 09/01/2023.

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HB 4559

Section 6.41(b-2), Tax Code, is amended to read as follows:

(b-2) An appraisal district board of directors for a district established in a county with a population of 1.2 [one] million or more by resolution of a majority of the board's members shall increase the size of the district's appraisal review board to the number of members the board of directors considers appropriate to manage the duties of the appraisal review board, including the duties of each special panel established under Section 6.425.

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HB 4559

Section 11.18(p), Tax Code, is amended to read as follows:

The exemption under Sec. 11.18(d)(23) for organizations providing housing and related services to homeless individuals applies in a county with a population of more than 1.2 [one] million to 1.5 million, or a municipality of more than 100,000 and less than 250,000, part of which is located in a county with a population of less than 5,500 [5,000].

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Topic Three

Public Notices & Workplace
Violence

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HB 3273

No more
[Texas.gov/PropertyTaxes](https://www.texas.gov/PropertyTaxes)
website post card
notices!



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HB 3273

Beginning in 2024, appraisal districts will no longer send post-card notices.

The CAD & each taxing entity with a website will post a notice on its website telling property owners that estimated tax amounts can be found in the CAD's property tax database. (HB 796)

The posted notices will also refer property owners to the state's [Texas.gov/PropertyTaxes](https://www.texas.gov/PropertyTaxes) website in bold type.

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HB 3273

The notices will describe how a property owner can register on the CAD's website to have notifications regarding updates to the property tax database delivered to the owner by e-mail.

The Chief Appraiser must publish the notice in a local newspaper by August 7 every year.

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HB 3273

The notice WILL need to be included as part of the ARB hearing notice sent to a protesting property owner.

Information about the [Texas.gov/PropertyTaxes](https://www.texas.gov/PropertyTaxes) website will NOT have to be included with a notice of appraised value.

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SB 943

PUBLICATION OF NOTICES TO NEWSPAPERS

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SB 943

A newspaper that publishes a notice for a governmental entity shall, at no charge, also publish the notice on its website and send the notice to the Texas Press Association who will publish it on their website.



The TPA website shall be accessible at no cost, updated as notices are received, searchable and sortable by subject and location, and offer email notification when notices are added.

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HB 915

Employers Notices Re:
Workplace Violence

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HB 915

Labor Code amended to require every employer to post a notice to employees of the contact info for reporting instances of workplace violence or suspicious activity to the Dept. of Public Safety.

Must be posted where conspicuous & convenient to all employees and in English and Spanish.

Effective 09/01/2023, however, the Texas Workforce Commission and DPS have until 03/01/2024 to create the required Notice.

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Topic Four

Digital Licenses & TDLR



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HB 2453

Occupations Code amended to add
Chapter 60. DIGITAL LICENSES.

Gives occupational licensing authorities like the
TDLR the authority to issue a digital license.

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HB 2453 Digital License must comply with the following:

Be in a secure format and readily accessible by the license holder through a
website and on a wireless communication device;

Public must be able to view license through a website or using a QR Code; and

If a 3rd party vendor provides the license for the authority, the license must be
in a format where the vendor and authority can verify the validity of the license.

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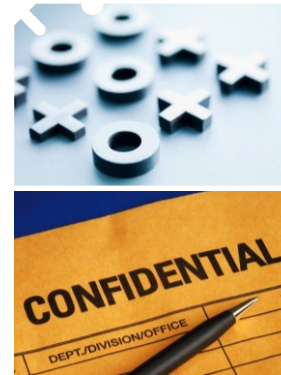
HB 2453

Gives the TDLR the authority to require licensees to provide email addresses for all correspondence.



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Topic Five
Confidentiality

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SB 510

Applications maintained by State Licensing Authority (like TDLR)

Protects from disclosure

- ✓ License application
- ✓ Home address, telephone, email, social, DOB, TDL, passport #, emergency contact & payment info.

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SB 510

Applications maintained by State Licensing Authority

- + Applies to
 - ✓ Applicants
 - ✓ License holders
 - ✓ Previous license holders
- + Must disclose NAME, LICENSE #, or LICENSE STATUS.
- + Applies to Open Records Requests made after 09/01/2023.

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Added to 25.025(a)
list of people
whose home
address
information is
confidential:

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SB 1525

Tax Code 25.025 adds
former or current
attorneys for
Dept. of Family &
Protective Services.



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SB 617

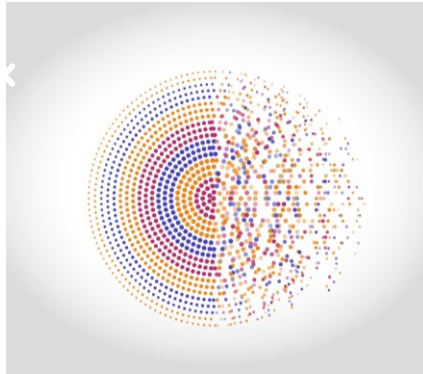
Tax Code 25.025 adds customs and border protection officers or agents and their spouse, surviving spouse and adult children.

HB 1911

Tax Code 25.025 adds former or current staff members of a university health care provider at a corrections facility operated by the TDCJ.

HB 1611

Adds victims of child abduction to list contained in Tax Code Section 25.025(a)(7).



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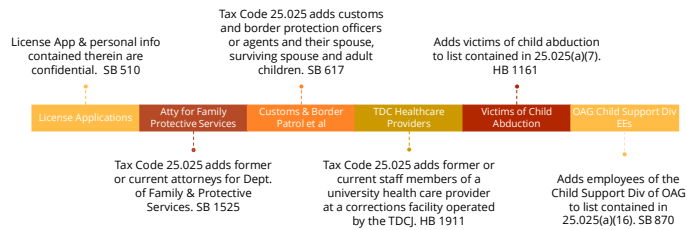
SB 870

Adds employees of the Child Support Division of Office of the Attorney General to list contained in 25.025(a)(16).

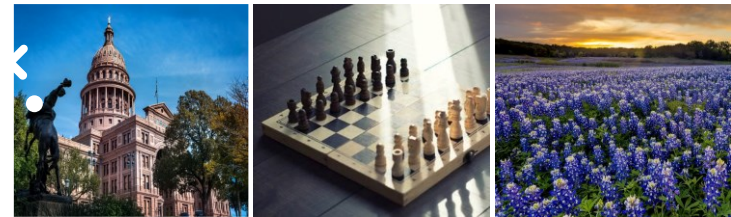
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Confidential Info.



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Summary

We have added 5 more categories to our confidential list and the TDLR must protect our application info, can issue us a digital license and require us to provide an email. As employers, we need to post the contact info of the DPS to report workplace violence.

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Summary

The dreaded post card notice is gone, but there is a new notice requirement on the jurisdictions and CADs websites. The TLO is getting some deputies and some formal training to go along with additional duties and responsibilities. We must respond promptly to public information disclosure requests or risk having to take additional training in that area.



Summary

Ransomware or other security incidents must be reported promptly to the appropriate authorities and to those whose information was breached. Political officials can now be removed from office when they commit crimes. Finally, August 27th is a state holiday that I will now be observing.

QUESTIONS,
COMMENTS, OR
CONCERNS?



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Thank You!

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