

1 AN ACT

2 relating to a prohibition on ex parte communications between a
3 member of the board of directors and the chief appraiser of an
4 appraisal district; providing a penalty.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subchapter A, Chapter 6, Tax Code, is amended by
7 adding Section 6.15 to read as follows:

8 Sec. 6.15. EX PARTE COMMUNICATIONS; PENALTY. (a) A member
9 of the board of directors of an appraisal district commits an
10 offense if the member directly or indirectly communicates with the
11 chief appraiser on any matter relating to the appraisal of property
12 by the appraisal district, except in:

13 (1) an open meeting of the appraisal district board of
14 directors or another public forum; or

15 (2) a closed meeting of the board of directors held to
16 consult with the board's attorney about pending litigation, at
17 which the chief appraiser's presence is necessary for full
18 communication between the board and the board's attorney.

19 (b) A chief appraiser commits an offense if the chief
20 appraiser directly or indirectly communicates with a member of the
21 board of directors of the appraisal district on any matter relating
22 to the appraisal of property by the appraisal district, except in:

23 (1) an open meeting of the board of directors or
24 another public forum; or

1 (2) a closed meeting of the board of directors held to
2 consult with the board's attorney about pending litigation, at
3 which the chief appraiser's presence is necessary for full
4 communication between the board and the board's attorney.

5 (c) Subsections (a) and (b) do not apply to a routine
6 communication between the chief appraiser and the county
7 assessor-collector that relates to the administration of an
8 appraisal roll, including a communication made in connection with
9 the certification, correction, or collection of an account,
10 regardless of whether the county assessor-collector was appointed
11 to the board of directors of the appraisal district or serves as a
12 nonvoting director.

13 (d) An offense under this section is a Class C misdemeanor.

14 SECTION 2. This Act takes effect September 1, 2007.

David Newhall

President of the Senate

Jim Caddick

Speaker of the House

I certify that H.B. No. 402 was passed by the House on March 28, 2007, by the following vote: Yeas 145, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 402 on May 10, 2007, by the following vote: Yeas 134, Nays 0, 2 present, not voting.

Robert Hancey
Chief Clerk of the House

I certify that H.B. No. 402 was passed by the Senate, with amendments, on May 8, 2007, by the following vote: Yeas 31, Nays 0.

Lacey Jew
Secretary of the Senate

APPROVED: 25 MAY 07

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:00 AM O'CLOCK

MAY 25 2007
Roger Hummel