

BILL ANALYSIS

Senate Research Center
79R440 AJA-D

S.B. 149
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Jurisprudence
2/07/2005
As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, an aircraft repair and maintenance lien may only be filed with the Federal Aviation Administration (FAA) on an aircraft that is registered with the FAA. Only aircraft owned by a United States citizen, a resident alien, a United States corporation, or a government entity is eligible for registration. As proposed, S.B. 149 would allow an aircraft repair and maintenance lien to be filed on any aircraft, whether domestic or foreign-owned, with the Texas Secretary of State's office.

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 70.303, Property Code, as follows:

Sec. 70.303. RECORDING OF A LIEN. (a) Creates this subsection from existing text. Authorizes a holder of a lien under this subchapter to record the lien on the aircraft by filing with the Federal Aviation Administration Aircraft Registry or the secretary of state not later than the 180th day after the date of the completion of the contractual storage period or the performance of the last repair or maintenance a verified document in the form and manner required by applicable federal or state laws and regulations that states certain details.

(b) Requires the secretary of state to maintain a record of information filled with the secretary of state under this section and index the records in the name of the owner of the aircraft.

SECTION 2. Amends Section 70.304(a), Property Code, to make a conforming change.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: upon passage or September 1, 2005.