

BILL ANALYSIS

Senate Research Center
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H.B. 1639
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Business & Commerce
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Although it has been shown that jet fighter training operations generally are very safe, interested observers nevertheless express concerns that, in the unlikely event of a crash, statistical studies conducted by the U.S. Air Force indicate that the areas where an aircraft will most likely crash are in the military airport's clear zone and accident potential zones. Furthermore, these aircraft create sustained noise on a daily basis throughout the year, potentially emitting levels of noise incompatible with certain land uses. Interested observers note that there is no mechanism currently available to compel a property owner to alert a potential buyer that the property is significantly impacted by high-volume, sustained military aircraft operations near military airports. H.B. 1639 seeks to address the need for public information regarding such issues to assist potential buyers near military installations in making informed decisions in light of these circumstances.

H.B. 1639 amends current law relating to providing information to the public and to purchasers of real property regarding the impact of military installations.

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 Chapter 397, Local Government Code, by adding Section 397.007, as follows:

Sec. 397.007. PUBLIC INFORMATION REGARDING IMPACT OF MILITARY INSTALLATIONS. Requires a county and any municipality in which is located a military installation to work closely with the military installation as necessary to ensure that the most recent Air Installation Compatible Use Zone Study or Joint Land Use Study applicable to each military installation or a link to that information is publicly available on the local governmental entity's Internet website.

SECTION 2. Amends Section 5.008(b), Property Code, to require that the notice be executed and, at a minimum, read substantially similar to the language set forth in this section.

SECTION 3. Provides that Section 5.008(b), Property Code, as amended by this Act, applies only to a transfer of property that occurs on or after the effective date of this Act. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2015.