

1-1 By: Zaffirini S.B. No. 1716  
1-2 (In the Senate - Filed March 7, 2023; March 16, 2023, read  
1-3 first time and referred to Committee on Transportation;  
1-4 April 27, 2023, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 27, 2023,  
1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Nichols	X		
1-10	West	X		
1-11	Alvarado	X		
1-12	Eckhardt	X		
1-13	Hancock	X		
1-14	King	X		
1-15	Miles	X		
1-16	Parker	X		
1-17	Perry	X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1716 By: Alvarado

1-19 A BILL TO BE ENTITLED  
1-20 AN ACT

1-21 relating to term limits for certain contracts regarding airports  
1-22 and associated air navigation facilities operated by or on behalf  
1-23 of a local government.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 22.020(a), Transportation Code, is  
1-26 amended to read as follows:

1-27 (a) A local government, by contract, lease, or other  
1-28 arrangement, on a consideration fixed by the local government and  
1-29 for a term not to exceed 50 [~~40~~] years, may authorize a qualified  
1-30 person to operate, as the agent of the local government or  
1-31 otherwise, an airport owned or controlled by the local government.

1-32 SECTION 2. Sections 22.021(a) and (d), Transportation Code,  
1-33 are amended to read as follows:

1-34 (a) In operating an airport or air navigation facility that  
1-35 it owns, leases, or controls, a local government may enter into a  
1-36 contract, lease, or other arrangement for a term not exceeding 50  
1-37 [~~40~~] years with a person:

1-38 (1) granting the privilege of using or improving the  
1-39 airport or air navigation facility, a portion or facility of the  
1-40 airport or air navigation facility, or space in the airport or air  
1-41 navigation facility for commercial purposes;

1-42 (2) conferring the privilege of supplying goods,  
1-43 services, or facilities at the airport or air navigation facility;  
1-44 or

1-45 (3) making available services to be furnished by the  
1-46 local government or its agents at the airport or air navigation  
1-47 facility.

1-48 (d) The 50-year [~~40-year~~] limit on the term of a contract,  
1-49 lease, or other arrangement provided by Subsection (a) does not  
1-50 apply to a contract, lease, or other arrangement under this section  
1-51 between a local government and this state, the United States, or an  
1-52 agency or instrumentality of this state or the United States.

1-53 SECTION 3. Sections 22.022(a) and (b), Transportation Code,  
1-54 are amended to read as follows:

1-55 (a) A lease of real property may not exceed 50 [~~40~~] years if:

1-56 (1) the lease is made under Section 22.011(c) or (d),  
1-57 Section 22.020, or Section 22.021; and

1-58 (2) at the time of the execution of the lease, the  
1-59 property is used as nonaeronautical property and is located on an  
1-60 airport on which there are active federal governmental aircraft

2-1 operations on federal government property.

2-2 (b) A renewal or extension of a lease under Subsection (a)  
2-3 may not exceed 50 [~~40~~] years. If the lease provides for more than  
2-4 one renewal or extension, the renewals or extensions may not in the  
2-5 aggregate exceed 50 [~~40~~] years.

2-6 SECTION 4. This Act takes effect September 1, 2023.

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