

By: Swinford

H.B. No. 3285

Substitute the following for H.B. No. 3285:

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C.S.H.B. No. 3285

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the abolition of the State Aircraft Pooling Board and
3 the principal part of its functions.

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

5 SECTION 1. Subchapter C, Chapter 85, Education Code, is
6 amended by adding Section 85.285 to read as follows:

7 Sec. 85.285. AIRCRAFT. (a) The board is primarily
8 responsible for scheduling university system aircraft.

9 (b) The university system shall base university system
10 aircraft in Brazos County.

11 (c) A pilot of university system aircraft must be an
12 employee of the university system.

13 (d) In this section, "university system aircraft" means
14 aircraft owned on August 31, 1991, or acquired after that date by
15 the university system or one of its components.

16 SECTION 2. Subchapter A, Chapter 411, Government Code, is
17 amended by adding Section 411.0097 to read as follows:

18 Sec. 411.0097. CERTAIN INTERAGENCY CONTRACTS RELATED TO
19 AIRCRAFT. The department may enter into an interagency contract
20 with a state agency, including an institution of higher education
21 or university system, to:

22 (1) provide aircraft fuel for the agency on a cost
23 recovery basis; or

24 (2) provide aircraft maintenance services to the

1 agency on a cost recovery basis.

2 SECTION 3. The following laws are repealed:

- 3 (1) Chapter 2205, Government Code;
- 4 (2) Section 2175.134(c), Government Code;
- 5 (3) Section 2175.191(c), Government Code; and
- 6 (4) Article 59.11, Code of Criminal Procedure.

7 SECTION 4. On the effective date of this Act:

- 8 (1) the State Aircraft Pooling Board is abolished;
- 9 (2) all board employee positions are eliminated; and
- 10 (3) any memorandum of understanding or interagency
- 11 contract entered into between the Texas Department of
- 12 Transportation and the State Aircraft Pooling Board for the
- 13 operation of state aircraft expires.

14 SECTION 5. (a) Except as provided by Subsection (b) of this
15 section, the Texas Building and Procurement Commission shall sell
16 for fair market value all state aircraft and aircraft-related
17 equipment formerly under the custody of the State Aircraft Pooling
18 Board in accordance with Chapter 2175, Government Code. If bonds
19 were issued in connection with acquiring or maintaining the
20 aircraft or equipment or in connection with other board purposes,
21 the proceeds from the sale of the aircraft and equipment shall be
22 used to pay off the bonds to the extent the proceeds of the bonds
23 were expended for those purposes.

24 (b) All fuel and fuel storage equipment formerly under the
25 custody of the State Aircraft Pooling Board shall be transferred to
26 the Department of Public Safety of the State of Texas.

27 (c) The Department of Public Safety of the State of Texas

1 may employ aircraft mechanics formerly employed by the State
2 Aircraft Pooling Board for the purpose of maintaining the
3 department's aircraft fleet.

4 (d) The Texas Building and Procurement Commission shall
5 allocate space to the Department of Public Safety of the State of
6 Texas and the Parks and Wildlife Department at the State Aircraft
7 Pooling Board facility located at the Austin-Bergstrom
8 International Airport. The commission may sell or lease any
9 portion of the facility that is not necessary for state purposes.
10 The commission shall sell for not less than the current fair market
11 value any portion of the facility sold. If bonds were issued, the
12 proceeds of which were expended for the purchase, maintenance, or
13 construction of the Austin-Bergstrom facilities, the proceeds from
14 any sale or lease of the facilities shall be used to make payments
15 on the state bond obligations as the Texas Public Finance Authority
16 determines to be appropriate.

17 SECTION 6. This Act does not affect the authority of The
18 University of Texas System to own or operate aircraft.

19 SECTION 7. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2005.