

By: King of Taylor

H.B. No. 2919

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of land use to ensure compatible development with military facilities.

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

SECTION 1. Section 397.005, Local Government Code, is amended to read as follows:

Sec. 397.005. CONSULTATION WITH DEFENSE BASE AUTHORITIES: PROPOSED ORDINANCE, RULE, OR PLAN. (a) A ~~[If a]~~ defense community ~~[determines]~~ that proposes to adopt or amend an ordinance, rule, or plan in an area located within 10 miles of the boundary line of ~~[proposed by the community may impact]~~ a defense base or the military exercise or training activities connected to the base~~[, the defense community]~~ shall seek comments and analysis from the defense base authorities concerning the compatibility of the proposed ordinance, rule, or plan with base operations.

(b) The defense community shall consider and analyze any ~~[the]~~ comments and analysis received from the defense base authorities under Subsection (a) before making a final determination relating to the proposed ordinance, rule, or plan. The defense base community may not make a final determination under this subsection until the 31st day after the date comments and analysis are requested under Subsection (a).

SECTION 2. Chapter 397, Local Government Code, is amended by adding Section 397.006 to read as follows:

1 Sec. 397.006. CONSULTATION WITH DEFENSE BASE AUTHORITIES:
2 PROPOSED STRUCTURE. (a) On receipt of an application for a permit
3 as described by Section 245.001 for a proposed structure in an area
4 located within 10 miles of the boundary line of a defense base or
5 the military exercise or training activities connected to the base,
6 the defense community reviewing the application shall seek comments
7 and analysis from the defense base authorities concerning the
8 compatibility of the proposed structure with base operations.

9 (b) The defense community shall consider and analyze any
10 comments and analysis received from the defense base authorities
11 under Subsection (a) before making a final determination relating
12 to approval of the permit for the proposed structure. The defense
13 community may not make a final determination under this subsection
14 until the 31st day after the date comments and analysis are
15 requested under Subsection (a).

16 SECTION 3. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2009.