

## **BILL ANALYSIS**

H.B. 1665  
By: King, Susan  
Land & Resource Management  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties contend that it is necessary to foster compatible land use between military installations and adjacent communities in order to ensure the military's ability to maintain operational readiness in defense of the United States. H.B. 1665 seeks to clarify a recently added statute by establishing provisions relating to the notification requirements regarding certain land use regulations in an area near military facilities.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 1665 amends the Local Government Code to require a defense community that includes a municipality with a population of more than 110,000 located in a county with a population of less than 135,000 and that has not adopted airport zoning regulations under the Airport Zoning Act that proposes to adopt or amend an ordinance, rule, or plan in an area located within eight miles of the boundary line of a defense base to notify the defense base authorities concerning the compatibility of the proposed ordinance, rule, or plan with base operations. The bill removes language requiring such a defense community to seek comments and analysis from the defense base authorities under the same circumstances and removes from application of the provision a proposal to adopt or amend an ordinance, rule, or plan in an area located within eight miles of the military exercise or training activities connected to the base.

H.B. 1665 requires such a defense community reviewing an application for a local permit for a proposed structure in an area located within eight miles of the boundary line of a defense base, on receipt of the application, to notify the defense base authorities concerning the compatibility of the proposed structure with base operations. The bill removes language requiring such a defense community to seek comments and analysis from the defense base authorities under the same circumstances and removes from application of the provision an application for a local permit for a proposed structure in an area located within eight miles of the military exercise or training activities connected to the base.

H.B. 1665 makes conforming changes.

H.B. 1665 repeals Sections 397.005(c) and 397.006(c), Local Government Code, to make conforming changes.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.