

By: Craddick

H.B. No. 1186

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the validation of certain actions relating to municipal  
3 airport zoning regulations.

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

5 SECTION 1. In this Act, "airport zoning regulation" has the  
6 meaning assigned by Section 241.003, Local Government Code.

7 SECTION 2. The legislature finds that a municipality's  
8 adoption of airport zoning regulations:

9 (1) is a governmental function;

10 (2) serves a public purpose and benefit;

11 (3) is reasonably taken to fulfill an obligation  
12 mandated by federal or state law; and

13 (4) is taken out of a reasonable good-faith belief  
14 that the action is necessary to prevent a grave and immediate threat  
15 to life or property.

16 SECTION 3. This Act applies only to an action taken with  
17 respect to a municipally owned and operated international airport  
18 that has obtained the appropriate Federal Aviation Administration  
19 license or other authorization necessary to operate a spaceport,  
20 launch site, or commercial space launch site.

21 SECTION 4. (a) All governmental and proprietary actions  
22 and proceedings of a municipality, the municipality's planning and  
23 zoning commission, the municipality's airport zoning commission,  
24 and the municipality's board of adjustment designated or appointed

1 under Chapter 241, Local Government Code, taken before the  
2 effective date of this Act relating to the adoption or enforcement  
3 of airport zoning regulations under Chapter 241, Local Government  
4 Code, in the municipality or the municipality's extraterritorial  
5 jurisdiction, are validated, ratified, and confirmed in all  
6 respects as of the dates on which they occurred. All required  
7 notices are considered to have been given and are validated,  
8 ratified, and confirmed in all respects.

9 (b) This section does not apply to any matter that on the  
10 effective date of this Act:

11 (1) is involved in litigation if the litigation  
12 ultimately results in the matter being held invalid by a final court  
13 judgment; or

14 (2) has been held invalid by a final court judgment.

15 SECTION 5. This Act takes effect immediately if it receives  
16 a vote of two-thirds of all the members elected to each house, as  
17 provided by Section 39, Article III, Texas Constitution. If this  
18 Act does not receive the vote necessary for immediate effect, this  
19 Act takes effect September 1, 2015.