

By: Farias

H.B. No. 1639

A BILL TO BE ENTITLED

AN ACT

relating to providing certain information to the public and to purchasers of affected property regarding impact of certain military airport operations.

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

SECTION 1. Chapter 397, Local Government Code, is amended by adding Section 397.007 to read as follows:

Sec. 397.007. PUBLIC INFORMATION REGARDING IMPACT OF CERTAIN MILITARY AIRPORT OPERATIONS. (a) This section applies only to an area located:

(1) within three miles of the boundaries of a federally owned and operated military installation that includes an airport and for which an Air Installation Compatible Use Zone Study or Joint Land Use Study is prepared; and

(2) in a county:

(A) with a population of more than 1.5 million that contains a municipality in which at least 75 percent of the county's population resides; or

(B) with a population of 130,000 or more that is adjacent to a county described by Paragraph (A).

(b) A county containing an area to which this section applies shall work closely with the military installation adjoining the area as necessary to obtain or create a map that is visually useful in determining whether the area is located inside or outside

1 an accident potential zone, clear zone, or noise zone as designated
2 in the most recent Air Installation Compatible Use Zone Study or
3 Joint Land Use Study applicable to the military installation.

4 (c) The county shall work closely with the military
5 installation as necessary to update a map obtained or created under
6 this section.

7 (d) The county shall ensure that the following information
8 or a link to the information is publically available on the county's
9 Internet website:

10 (1) each map obtained or created and updated under
11 this section; and

12 (2) the most recent Air Installation Compatible Use
13 Zone Study or Joint Land Use Study applicable to each military
14 installation adjacent to an area to which this section applies.

15 SECTION 2. Section 5.008, Property Code, is amended by
16 adding Subsection (b-1) to read as follows:

17 (b-1) This subsection applies only to an area to which
18 Section 397.007, Local Government Code, is applicable. The seller
19 of residential real property described by Subsection (a) shall
20 include an additional disclosure item in the written notice given
21 to the purchaser of the property as required by this section that
22 must read substantially similar to the following:

23 This property is located within three miles of a
24 military installation that includes an airport. The
25 seller has reviewed publically available information
26 provided as required by Section 397.007, Local
27 Government Code, and identified the designation status

1 of the property based on that information as follows:

2 Write Yes (Y) or No (N) to each:

3 _____ Accident potential zone

4 _____ Clear zone

5 _____ High-noise zone

6 SECTION 3. Section 5.008(b-1), Property Code, as added by
7 this Act, applies only to a transfer of property that occurs on or
8 after the effective date of this Act. A transfer of property that
9 occurs before the effective date of this Act is governed by the law
10 applicable to the transfer immediately before that date, and the
11 former law is continued in effect for that purpose. For the
12 purposes of this section, a transfer of property occurs before the
13 effective date of this Act if the contract binding the purchaser to
14 purchase the property is executed before that date.

15 SECTION 4. This Act takes effect September 1, 2015.