1-1 S.B. No. 775 By: Estes (In the Senate - Filed February 8, 2017; February 22, 2017, read first time and referred to Committee on Business & Commerce; 1-2 1-3 April 5, 2017, reported favorably by the following vote: Yeas 9, Nays 0; April 5, 2017, sent to printer.) 1-4 1-5 1-6 COMMITTEE VOTE 1 - 7Yea Absent PNV Nay 1-8 Hancock Χ 1-9 Creighton 1-10 1-11 Campbell Estes 1-12 Nichols Χ 1-13 Schwertner Χ Taylor of Galveston 1-14 1**-**15 1**-**16 Whitmire Zaffirini 1-17 A BILL TO BE ENTITLED 1-18 AN ACT 1-19 relating to providing information to the public and to purchasers 1-20 of real property regarding the impact of military installations. BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS: 1-21 1**-**22 1**-**23 SECTION 1. Chapter 397, Local Government Code, is amended by adding Section 397.007 to read as follows: Sec. 397.007. PUBLIC INFORMATION REGARDING 1-24 IMPACT MILITARY INSTALLATIONS. A county and any municipality in which is located a military installation shall work closely with the military installation as necessary to ensure that the most recent Air Installation Compatible Use Zone Study or Joint Land Use Study applicable to each military installation or a link to that 1-25 1-26 1-27 1-28 1-29 information is publicly available on the local governmental 1-30 1-31 entity's Internet website. SECTION 2. Section 5.008(b), Property Code, is amended to 1-32 1-33 read as follows: 1-34 (b) The notice must be executed and must, at a minimum, read 1-35 substantially similar to the following: 1-36 SELLER'S DISCLOSURE NOTICE CONCERNING THE PROPERTY AT 1-37 1-38 (Street Address and City) 1-39 THIS NOTICE IS A DISCLOSURE OF SELLER'S KNOWLEDGE OF THE CONDITION OF THE PROPERTY AS OF THE DATE SIGNED BY SELLER AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR 1-40 1-41 WARRANTIES THE PURCHASER MAY WISH TO OBTAIN. IT IS NOT 1-42 1-43 A WARRANTY OF ANY KIND BY SELLER OR SELLER'S AGENTS. 1-44  $\_$  is  $\_\_$  is not occupying the Property. 1-45 If unoccupied, how long since Seller has occupied the Property? 1-46 The Property has the items checked below: 1-47 1-48 Write Yes (Y), No (N), or Unknown (U). \_ Oven \_ Microwave \_\_\_ Range 1-49 \_\_ Dishwasher \_\_ Disposal 1-50 Trash Compactor 1-51 \_ Window \_\_\_ Washer/Dryer \_\_\_ Rain Gutters 1-52 Hookups Screens \_\_ Intercom 1-53 \_\_ Security \_ Fire Detection 1-54 System Equipment System 1-55 Smoke Detector 1-56 \_ Smoke Detector -1-57 Hearing Impaired \_\_ Carbon Monoxide 1-58

Alarm

1-59

S.B. No. 775

	Emergency Escape	
	Ladder(s)	
TV Antenna	Cable TV	Satellite
o '1' / )	Wiring	Dish
<pre> Ceiling Fan(s)</pre>	Attic Fan(s)	Exhaust
Central A/C	0 1 11	Fan(s)
Central A/C	Central Heating	Wall/Window
		Air
D1 1' 0 1		Conditioning
Plumbing System	Septic System	Public Sewer
	0 1 2 0 1 2 2	System
Patio/Decking	Outdoor Grill	Fences
Pool	Sauna	Spa
		Hot Tub
Pool Equipment	Pool Heater	Automatic Lawn
		Sprinkler
n' 1 ( ) -		System
Fireplace(s) &		Fireplace(s) &
Chimney		Chimney
(Woodburning)		(Mock)
Chimney (Woodburning) Natural Gas Lines		Gas Fixtures
Liquid Propane Gas:		LP on Property
	(Captive)	_
Garage: Attached	Not Attached	Carport
Garage Door Opener(s):	Electronic	Control(s)
water heater:	Gas	Electric
Water Supply: City	Well MUD	Co-op
Roof Type:		Age:(approx)
Are you (Seller) aware		
working condition, that		r that are in need of
repair? Yes No		
If yes, then describe. (	(Attach additional shee	ets if necessary):
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		e above is yes, explain.
addi ———	tional sheets if necessary	):
<u></u>	Are you (Seller) aware of	ny of the following conditions
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	ctive Termites	Previous Structural
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W(	ood-destroying insects) ermite or Wood Rot Damage	Hazardous or Toxic W
— 16	eeding Repair	Hazardous of loxic w
P:	revious Termite Damage revious Termite	Asbestos Components
Pi	revious Termite	Urea formaldehyde
Tı	ceatment	Insulation
— P	reatment revious Flooding	Radon Gas
Tv1 ·	mproper Drainage ater Penetration	Lead Based Paint Aluminum Wiring
vv c	ocated in 100-Year	Previous Fires
— <u>F</u>	ocated in 100-Year loodplain resent Flood Insurance	
Pı	resent Flood Insurance	Unplatted Easements
С(	overage andfill, Settling, Soil ovement, Fault Lines	Cubcurface
ьс Ма	ovement Fault Lines	<pre> Subsurface Structure or Pits</pre>
S:	ingle Blockable Main	Previous Use of Prem
D:	cain in Pool/Hot	for Manufacture of
$\mathrm{T}\iota$	ıb/Spa*	Methamphetamine
	the answer to any of th	e ahowe is wes explain
addi	tional sheets if necessary	):
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<sup>7.</sup> If the property is located in a coastal area that is seaward of the Gulf Intracoastal Waterway or within 1,000 feet of the mean high tide bordering the Gulf of Mexico, the property may be subject to

S.B. No. 775 the Open Beaches Act or the Dune Protection Act (Chapter 61 or 63, 4-1 4-2 Natural Resources Code, respectively) and a beachfront construction certificate or dune protection permit may be required 4-3 for repairs or improvements. Contact the local government with 4 - 4ordinance authority over construction adjacent to public beaches 4-5

4-6 for more information. 4-7

This property may be located near a military installation and may be affected by high noise or air installation compatible use zones or other operations. Information relating to high noise and compatible use zones is available in the most recent Air Installation Compatible Use Zone Study or Joint Land Use Study prepared for a military installation and may be accessed on the Internet website of the military installation and of the county and any municipality in which the military installation is located.

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Date

Date

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Signature of Seller

The undersigned purchaser hereby acknowledges receipt of the foregoing notice.

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Signature of Purchaser

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

SECTION 4. This Act takes effect September 1, 2017.

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