

1-1 By: Farias, et al. (Senate Sponsor - Campbell) H.B. No. 1640
 1-2 (In the Senate - Received from the House May 4, 2015;
 1-3 May 5, 2015, read first time and referred to Committee on Veteran
 1-4 Affairs and Military Installations; May 21, 2015, reported
 1-5 favorably by the following vote: Yeas 5, Nays 0; May 21, 2015,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13			X	
1-14	X			
1-15			X	

1-16 A BILL TO BE ENTITLED
 1-17 AN ACT

1-18 relating to the compatibility of certain defense community
 1-19 regulations and structures with military operations.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 397.005, Local Government Code, is
 1-22 amended by adding Subsections (c), (d), and (e) to read as follows:

1-23 (c) A defense community that proposes to adopt or amend an
 1-24 ordinance, rule, or plan that would be applicable in a controlled
 1-25 compatible land use area as defined by Section 241.003 and that may
 1-26 impact base operations shall notify the base or facility
 1-27 authorities concerning the compatibility of the proposed
 1-28 ordinance, rule, or plan with base operations. This subsection
 1-29 applies only to a defense community that has not adopted airport
 1-30 zoning regulations under Chapter 241 and that:

1-31 (1) is a county with a population of more than 1.5
 1-32 million that contains a municipality in which at least 75 percent of
 1-33 the county's population resides;

1-34 (2) is a county with a population of 130,000 or more
 1-35 that is adjacent to a county described by Subdivision (1);

1-36 (3) is located in a county described by Subdivision
 1-37 (1) or (2); or

1-38 (4) is or includes a municipality that is located in a
 1-39 county with a population of more than 130,000 that borders the Red
 1-40 River.

1-41 (d) A defense community described by Subsection (c) may
 1-42 enter into a memorandum of agreement with the military base or
 1-43 defense facility to establish a smaller area in the controlled
 1-44 compatible land use area for which notification under Subsection
 1-45 (c) would be required by the defense community.

1-46 (e) After providing notice under Subsection (c), the
 1-47 defense community shall enter into a memorandum of agreement with
 1-48 the military base or defense facility to establish provisions to
 1-49 maintain the compatibility of the proposed ordinance, rule, or plan
 1-50 with base operations.

1-51 SECTION 2. Section 397.006, Local Government Code, is
 1-52 amended by amending Subsection (a) and adding Subsections (c),
 1-53 (c-1), and (c-2) to read as follows:

1-54 (a) Subsection (b) [This section] applies only to a defense
 1-55 community that includes a municipality with a population of more
 1-56 than 110,000 located in a county with a population of less than
 1-57 135,000 and that has not adopted airport zoning regulations under
 1-58 Chapter 241.

1-59 (c) On receipt of an application for a permit as defined by
 1-60 Section 245.001 for a proposed structure that would be located in a
 1-61 controlled compatible land use area as defined by Section 241.003

2-1 and may impact base operations, a defense community shall notify
2-2 the base or facility authorities concerning the compatibility of
2-3 the proposed structure with base operations. This subsection
2-4 applies only to a defense community that has not adopted airport
2-5 zoning regulations under Chapter 241 and that:

2-6 (1) is a county with a population of more than 1.5
2-7 million that contains a municipality in which at least 75 percent of
2-8 the county's population resides;

2-9 (2) is a county with a population of 130,000 or more
2-10 that is adjacent to a county described by Subdivision (1);

2-11 (3) is located in a county described by Subdivision
2-12 (1) or (2); or

2-13 (4) is or includes a municipality that is located in a
2-14 county with a population of more than 130,000 that borders the Red
2-15 River.

2-16 (c-1) A defense community described by Subsection (c) may
2-17 enter into a memorandum of agreement with the military base or
2-18 defense facility to establish a smaller area in the controlled
2-19 compatible land use area for which notification under Subsection
2-20 (c) would be required by the defense community.

2-21 (c-2) After providing notice under Subsection (c), a
2-22 defense community shall enter into a memorandum of agreement with
2-23 the military base or defense facility to establish provisions to
2-24 maintain the compatibility of the proposed structure with base
2-25 operations.

2-26 SECTION 3. This Act takes effect September 1, 2015.

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