

1-1 By: Miller of Fort Bend H.B. No. 3901
 1-2 (Senate Sponsor - Taylor of Collin)
 1-3 (In the Senate - Received from the House May 11, 2015;
 1-4 May 19, 2015, read first time and referred to Committee on Business
 1-5 and Commerce; May 26, 2015, reported favorably by the following
 1-6 vote: Yeas 6, Nays 0; May 26, 2015, 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	X			
1-17			X	

1-18 A BILL TO BE ENTITLED
 1-19 AN ACT

1-20 relating to the repossession of an aircraft.
 1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-22 SECTION 1. Title 4, Property Code, is amended by adding
 1-23 Chapter 30 to read as follows:
 1-24 CHAPTER 30. WRIT OF ASSISTANCE FOR REPOSSESSION OF AIRCRAFT
 1-25 Sec. 30.01. DEFINITIONS. In this chapter:
 1-26 (1) "Aircraft" means a self-propelled motor vehicle
 1-27 that can be used to transport a person by flight in the air.
 1-28 (2) "Repossession" means the recovery of an aircraft
 1-29 that has been sold under a security agreement containing a
 1-30 repossession clause authorizing the lender to recover the aircraft
 1-31 if the borrower defaults under the agreement.
 1-32 (3) "Repossession agent" means an individual who is
 1-33 authorized to engage in a repossession for a lender.
 1-34 Sec. 30.02. WRIT OF ASSISTANCE FOR REPOSSESSION OF
 1-35 AIRCRAFT. (a) A writ of assistance for the repossession of an
 1-36 aircraft authorizes a peace officer to assist and protect a
 1-37 repossession agent in gaining possession of the aircraft while the
 1-38 agent:
 1-39 (1) secures the aircraft on site; or
 1-40 (2) prepares the aircraft, which may include a
 1-41 mechanical inspection, for removal from the site by flight or
 1-42 otherwise to another location.
 1-43 (b) A writ of assistance for the repossession of an aircraft
 1-44 is valid for 30 days.
 1-45 (c) A justice court may grant unlimited extensions of a writ
 1-46 of assistance issued under this chapter.
 1-47 Sec. 30.03. PETITION FOR WRIT OF ASSISTANCE. (a) A
 1-48 repossession agent may file a petition in a justice court for a writ
 1-49 of assistance for the repossession of an aircraft.
 1-50 (b) The repossession agent is entitled to the writ if the
 1-51 repossession agent establishes that:
 1-52 (1) the aircraft is subject to the proposed
 1-53 repossession; and
 1-54 (2) the repossession agent is authorized to engage in
 1-55 the repossession.
 1-56 (c) The petition for the writ must include a copy of:
 1-57 (1) the security agreement relating to the aircraft;
 1-58 (2) the notice of default under the security agreement
 1-59 sent by the lender to the borrower;
 1-60 (3) the instrument in which a power of attorney for the
 1-61 repossession is granted to the repossession agent by the lender;

2-1 and
2-2 (4) the results of a title search of the Federal
2-3 Aviation Administration's records for the aircraft.
2-4 SECTION 2. This Act takes effect September 1, 2015.

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