

1-1 By: Taylor of Collin S.B. No. 1133
1-2 (In the Senate - Filed March 10, 2015; March 17, 2015, read
1-3 first time and referred to Committee on Business and Commerce;
1-4 April 15, 2015, reported favorably by the following vote: Yeas 9,
1-5 Nays 0; April 15, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
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 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the repossession of an aircraft.
1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-21 SECTION 1. Title 4, Property Code, is amended by adding
1-22 Chapter 30 to read as follows:
1-23 CHAPTER 30. WRIT OF ASSISTANCE FOR REPOSSESSION OF AIRCRAFT
1-24 Sec. 30.01. DEFINITIONS. In this chapter:
1-25 (1) "Aircraft" means a self-propelled motor vehicle
1-26 that can be used to transport a person by flight in the air.
1-27 (2) "Repossession" means the recovery of an aircraft
1-28 that has been sold under a security agreement containing a
1-29 repossession clause authorizing the lender to recover the aircraft
1-30 if the borrower defaults under the agreement.
1-31 (3) "Repossession agent" means an individual who is
1-32 authorized to engage in a repossession for a lender.
1-33 Sec. 30.02. WRIT OF ASSISTANCE FOR REPOSSESSION OF
1-34 AIRCRAFT. (a) A writ of assistance for the repossession of an
1-35 aircraft authorizes a peace officer to assist and protect a
1-36 repossession agent in gaining possession of the aircraft while the
1-37 agent:
1-38 (1) secures the aircraft on site; or
1-39 (2) prepares the aircraft, which may include a
1-40 mechanical inspection, for removal from the site by flight or
1-41 otherwise to another location.
1-42 (b) A writ of assistance for the repossession of an aircraft
1-43 is valid for 30 days.
1-44 (c) A justice court may grant unlimited extensions of a writ
1-45 of assistance issued under this chapter.
1-46 Sec. 30.03. PETITION FOR WRIT OF ASSISTANCE. (a) A
1-47 repossession agent may file a petition in a justice court for a writ
1-48 of assistance for the repossession of an aircraft.
1-49 (b) The repossession agent is entitled to the writ if the
1-50 repossession agent establishes that:
1-51 (1) the aircraft is subject to the proposed
1-52 repossession; and
1-53 (2) the repossession agent is authorized to engage in
1-54 the repossession.
1-55 (c) The petition for the writ must include a copy of:
1-56 (1) the security agreement relating to the aircraft;
1-57 (2) the notice of default under the security agreement
1-58 sent by the lender to the borrower;
1-59 (3) the instrument in which a power of attorney for the
1-60 repossession is granted to the repossession agent by the lender;
1-61 and

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

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