

BILL ANALYSIS

C.S.H.B. 4262
By: Darby
Business & Industry
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the ability of Texas aircraft fueling companies to secure a lien on an aircraft for their services. C.S.H.B. 4262 seeks to address this issue by adding specifications to the applicable statutory provisions regarding services provided outside Texas and regarding the persons who are presumed to have the owner's authorization to incur charges.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 4262 amends the Property Code to make statutory provisions establishing aircraft repair and maintenance liens applicable to the fueling of an aircraft without regard to whether the fueling is performed within or outside of Texas or the United States.

C.S.H.B. 4262 establishes that certain specified persons are presumed to be authorized by the owner of an aircraft to incur charges that give rise to an applicable lien on the aircraft and prohibits a person tortiously or unlawfully in possession or charge of an aircraft from binding the aircraft. The bill exempts from these provisions an aircraft owned, leased, or operated by or on behalf of an air carrier that is certificated to conduct scheduled air transportation services under certain federal regulations.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 4262 differs from the original in minor or nonsubstantive ways by conforming to certain bill drafting conventions.