

BILL ANALYSIS

Senate Research Center

H.B. 1288
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State Affairs
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Engrossed

DIGEST

Currently, no legal mechanism exists to dispose of abandoned aircrafts while abandoned automobiles, motorcycles, buses, and vans may all be routinely disposed of by municipalities. At the Brownsville-South Padre Island International Airport there is currently an abandoned aircraft that is uncertifiable according to Federal Aviation Administration regulations. Although the plane is also unsightly, the City of Brownsville does not have a recourse to dispose of it. H.B. 1288 would give state district courts the authority to make a determination on aircraft ownership and order local governments to dispose of abandoned aircrafts.

PURPOSE

As proposed, H.B. 1288 outlines provisions regarding the disposal of abandoned aircraft by a municipality.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 22, Transportation Code, by adding Subchapter Z, as follows:

SUBCHAPTER Z. MISCELLANEOUS PROVISIONS

Sec. 22.901. DISPOSAL OF ABANDONED AIRCRAFT. Authorizes a local government that is unable to determine the ownership of an aircraft that has been located for more than 90 days at an airport owned by the local government to petition a district court for the county in which the aircraft is located to determine the ownership of the aircraft, if certain conditions exist. Sets forth requirements and outlines provisions regarding the determination of ownership of the aircraft. Sets forth requirements and outlines provisions regarding the determination of the aircraft as abandoned property. Provides that a determination of ownership made by the court under this section does not affect the right of the local government to recover fees against the owner of the aircraft for storage or maintenance of the aircraft.

SECTION 2. Emergency clause.
Effective date: upon passage.