

## **BILL ANALYSIS**

H.B. 3701  
By: Goldman  
Defense & Veterans' Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties contend that communication between defense communities and military bases and defense facilities should be increased to help reduce development in these areas that is incompatible with or a hindrance to the bases and facilities. H.B. 3701 seeks to facilitate this increased communication by adjusting notification requirements regarding certain proposed regulations and structures in an area near a military facility.

### **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**

H.B. 3701 amends the Local Government Code to remove geographic limitations on the applicability of the requirement for a defense community that has not adopted airport zoning regulations and that proposes to adopt or amend an ordinance, rule, or plan that would be applicable in an area located within eight miles of the boundary line of a military base or defense facility to notify the base or facility authorities concerning the compatibility of the proposed ordinance, rule, or plan with base operations. The bill authorizes a defense community to enter into a memorandum of agreement with a military base or defense facility to establish a smaller area for which such notification is required and requires the defense community, after providing the required notice, to enter into a memorandum of agreement with the military base or defense facility to establish provisions to maintain the compatibility of the proposed ordinance, rule, or plan with base operations. The bill repeals provisions relating to a notification requirement applicable to specified defense communities that propose to adopt or amend an ordinance, rule, or plan that would be applicable in a controlled compatible land use area and that may impact military base operations.

H.B. 3701 removes geographic limitations on the applicability of the requirement for a defense community that has not adopted airport zoning regulations, on receipt of a permit application for a proposed structure in an area located within eight miles of the boundary line of a military base or defense facility, to notify the base or facility authorities. The bill applies certain provisions relating to a memorandum of understanding between a defense community and a military base or defense facility to defense communities that receive permit applications for such structures. The bill removes a notification requirement applicable to specified defense communities regarding applications for a proposed structure that would be located in a controlled compatible land use area and that may impact military base operations.

H.B. 3701 repeals Sections 397.005(c), (d), and (e), Local Government Code.

**EFFECTIVE DATE**

September 1, 2017.