

1 that owns residential real property adjacent to or
2 near the airport access to the airfield of the airport
3 for the following:

4 “(A) Aircraft of the person.

5 “(B) Aircraft authorized by the person.

6 “(2) THROUGH-THE-FENCE AGREEMENTS.—

7 “(A) IN GENERAL.—An agreement de-
8 scribed in paragraph (1) between an airport
9 sponsor and a property owner (or an associa-
10 tion representing such property owner) shall be
11 a written agreement that prescribes the rights,
12 responsibilities, charges, duration, and other
13 terms the airport sponsor determines are nec-
14 essary to establish and manage the airport
15 sponsor’s relationship with the property owner.

16 “(B) TERMS AND CONDITIONS.—An agree-
17 ment described in paragraph (1) between an
18 airport sponsor and a property owner (or an as-
19 sociation representing such property owner)
20 shall require the property owner, at minimum—

21 “(i) to pay airport access charges
22 that, as determined by the airport sponsor,
23 are comparable to those charged to tenants
24 and operators on-airport making similar
25 use of the airport;

1 “(ii) to bear the cost of building and
 2 maintaining the infrastructure that, as de-
 3 termined by the airport sponsor, is nec-
 4 essary to provide aircraft located on the
 5 property adjacent to or near the airport
 6 access to the airfield of the airport;

7 “(iii) to maintain the property for res-
 8 idential, noncommercial use for the dura-
 9 tion of the agreement;

10 “(iv) to prohibit access to the airport
 11 from other properties through the property
 12 of the property owner; and

13 “(v) to prohibit any aircraft refueling
 14 from occurring on the property.”.

15 (b) **APPLICABILITY.**—The amendment made by sub-
 16 section (a) shall apply to an agreement between an airport
 17 sponsor and a property owner (or an association rep-
 18 resenting such property owner) entered into before, on, or
 19 after the date of enactment of this Act.

20 **SEC. 137. GOVERNMENT SHARE OF PROJECT COSTS.**

21 Section 47109 is amended—

22 (1) in subsection (a) by striking “provided in
 23 subsection (b) or subsection (c) of this section” and
 24 inserting “otherwise provided in this section”; and

25 (2) by adding at the end the following: