

By: Morales of Harris

H.B. No. 407

A BILL TO BE ENTITLED

1 AN ACT

2 relating to municipal and county requirements for solar energy
3 device compatibility for certain residential construction;
4 creating criminal offenses.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subchapter G, Chapter 214, Local Government
7 Code, is amended by adding Section 214.222 to read as follows:

8 Sec. 214.222. SOLAR ENERGY DEVICE COMPATIBILITY REQUIRED.

9 (a) In this section:

10 (1) "Electric cooperative" means an electric
11 cooperative organized under Chapter 161, Utilities Code, or a
12 predecessor statute to that chapter.

13 (2) "Electric utility" has the meaning assigned by
14 Section 31.002, Utilities Code.

15 (3) "Municipally owned utility" has the meaning
16 assigned by Section 11.003, Utilities Code.

17 (4) "Solar energy device" has the meaning assigned by
18 Section 171.107, Tax Code.

19 (b) The governing body of a municipality by ordinance shall
20 incorporate into its municipal building code a requirement that the
21 construction of a new residential building suitable for one to four
22 families must be compatible with the installation of a solar energy
23 device that may be interconnected with an electric distribution
24 system operated by the electric cooperative, electric utility, or

1 municipally owned utility providing electric distribution service
2 in the area in which the building is constructed, subject to:

3 (1) any applicable interconnection requirements of
4 the electric cooperative, electric utility, or municipally owned
5 utility;

6 (2) the rules of the Public Utility Commission of
7 Texas; and

8 (3) as applicable, the protocols of an independent
9 organization certified under Section 39.151, Utilities Code.

10 (c) A person who builds new residential construction
11 described by Subsection (b) shall have the construction inspected
12 by the municipality to ensure compliance with the building code
13 provisions required by this section.

14 (d) A person who fails to comply with the requirement
15 described by Subsection (b) or violates Subsection (c) commits an
16 offense. An offense under this subsection is a Class C misdemeanor.

17 SECTION 2. Chapter 233, Local Government Code, is amended
18 by adding Subchapter E to read as follows:

19 SUBCHAPTER E. RESIDENTIAL BUILDING CODE STANDARDS

20 Sec. 233.101. SOLAR ENERGY DEVICE COMPATIBILITY REQUIRED.

21 (a) In this section:

22 (1) "Electric cooperative" means an electric
23 cooperative organized under Chapter 161, Utilities Code, or a
24 predecessor statute to that chapter.

25 (2) "Electric utility" has the meaning assigned by
26 Section 31.002, Utilities Code.

27 (3) "Municipally owned utility" has the meaning

1 assigned by Section 11.003, Utilities Code.

2 (4) "Solar energy device" has the meaning assigned by
3 Section 171.107, Tax Code.

4 (b) The commissioners court of a county by order shall
5 incorporate into its county building code a requirement that the
6 construction of a new residential building suitable for one to four
7 families in the unincorporated area of the county must be
8 compatible with the installation of a solar energy device that may
9 be interconnected with an electric distribution system operated by
10 the electric cooperative, electric utility, or municipally owned
11 utility providing electric distribution service in the area in
12 which the building is constructed, subject to:

13 (1) any applicable interconnection requirements of
14 the electric cooperative, electric utility, or municipally owned
15 utility;

16 (2) the rules of the Public Utility Commission of
17 Texas; and

18 (3) as applicable, the protocols of an independent
19 organization certified under Section 39.151, Utilities Code.

20 (c) A person who builds new residential construction
21 described by Subsection (b) shall have the construction inspected
22 by the county to ensure compliance with the building code
23 provisions required by this section.

24 (d) A person who fails to comply with the requirement
25 described by Subsection (b) or violates Subsection (c) commits an
26 offense. An offense under this subsection is a Class C misdemeanor.

27 SECTION 3. Sections 214.222 and 233.101, Local Government

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1 Code, as added by this Act, apply only to new residential
2 construction that begins on or after September 1, 2027.

3 SECTION 4. This Act takes effect September 1, 2025.