

By: Smith of Harris

H.B. No. 36

A BILL TO BE ENTITLED

AN ACT

relating to the time for processing a municipal building permit.

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

SECTION 1. Subchapter Z, Chapter 214, Local Government Code, is amended by adding Section 214.904 to read as follows:

Sec. 214.904. TIME FOR ISSUANCE OF MUNICIPAL BUILDING PERMIT. (a) This section applies only to a permit required by a municipality to erect or improve a building or other structure in the municipality.

(b) Not later than the 45th day after the date an application for a permit is submitted, the municipality must:

(1) grant or deny the permit;

(2) provide written notice to the applicant stating the reasons why the municipality has been unable to act on the permit application; or

(3) attempt to reach a written agreement with the applicant to a time certain for granting or denying the permit.

(c) For a permit application for which notice is provided under Subsection (b)(2) or an agreement is reached under Subsection (b)(3), the municipality must grant or deny the permit not later than the 30th day after the date the notice is received or the agreement is signed.

(d) If a municipality fails to act on a permit application in the time required by Subsection (c), all permit fees shall be

1 waived by the county in regards to that application.

2 SECTION 2. This Act takes effect September 1, 2003, and
3 applies only to an application for a permit submitted on or after
4 that date. An application for a permit submitted before that date
5 is governed by the law in effect when the application was submitted,
6 and the former law is continued in effect for that purpose.