

**BILL ANALYSIS**

C.S.H.B. 334  
By: Villarreal  
Land & Resource Management  
Committee Report (Substituted)

**BACKGROUND AND PURPOSE**

The current system for determining the safety of structures is a subjective process with the burden of interpretation being placed upon building officials.

C.S.H.B. 334 directs municipalities that have adopted building codes to also adopt a corresponding rehabilitation code or provision.

**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**

SECTION 1. Amends the heading to Subchapter G, Chapter 214, Local Government Code, as follows:

**SUBCHAPTER G. BUILDING AND REHABILITATION CODES**

SECTION 2. Amends Subchapter G, Section 214, Local Government Code, by adding Section 214.215 as follows:

Requires that a municipality that has adopted a building code shall adopt either a building code with prescriptive provisions for rehabilitation or a rehabilitation code that accompanies the municipality’s code to apply to the alteration, remodeling, enlargement or repair of an existing structure to which the International Residential Code does not apply.

Mandates that the rehabilitation code or prescriptive provisions do not apply to the construction of a new structure. The rehabilitation code or prescriptive provisions must have existed on May 1, 2003, published by a developer of a notional code or a code accredited by the American National Standards Institute.

Authorizes a municipality to amend the rehabilitation code with prescriptive provisions for rehabilitation or review an amendment made to the rehabilitation or building code with prescriptive provisions by the body that developed the code and adopt that amendment as part of the municipality’s rehabilitation code.

Requires that a municipality enforce a building code with prescriptive provisions for rehabilitation or the rehabilitation code that accompanies the municipality’s current building code

SECTION 3. Requires a municipality to adopt prescriptive provisions for rehabilitation, a building code with prescriptive provisions for rehabilitation, or a rehabilitation code

before January 1, 2004.

SECTION 4. Effective date.

**EFFECTIVE DATE**

September 1, 2003

**COMPARISON OF ORIGINAL TO SUBSTITUTE**

H.B. 334 requires both counties and municipalities to adopt building codes. C.S.H.B. 334 has no such provision.

H.B. 334 requires both counties and municipalities to adopt rehabilitation codes. C.S.H.B. 334 requires only that municipalities that have building codes must adopt rehabilitation codes, or prescriptive provisions for rehabilitation as part of the building code.