

BILL ANALYSIS

S.B. 1326
By: Carona
Urban Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, industrialized housing or buildings can be constructed, installed, or located anywhere within a municipality without any regulation by the municipality. The lack of regulation could threaten residential property values. S.B. 1326 authorizes a municipality to regulate single-family or duplex industrialized housing.

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.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1202.251(b), Occupations Code, to include an exception as provided by Section 1202.253.

SECTION 2. Amends Subchapter F, Chapter 1202, Occupations Code, by adding Section 1202.253, as follows:

Sec. 1202.253. MUNICIPAL REGULATION OF SINGLE FAMILY AND DUPLEX INDUSTRIALIZED HOUSING. (a) Requires single-family or duplex industrialized housing to have all local permits and licenses that are applicable to other single-family or duplex dwellings.

(b) Provides, that for purposes of this section, single-family or duplex industrialized housing is real property.

(c) Authorizes a municipality to adopt regulations that require single-family or duplex industrialized housing to meet certain requirements.

(d) Defines "value."

(e) Prohibits a municipality except as provided by Subsection (c), from adopting a regulation under this section that is more restrictive for industrialized housing than that required for a new single-family or duplex dwelling constructed on site.

(f) Provides that this section does not limit the authority of a municipality to adopt regulations to protect historic properties or historic districts or affect deed restrictions.

SECTION 3. Effective date

EFFECTIVE DATE: Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.