

By: Villarreal

H.B. No. 334

Substitute the following for H.B. No. 334:

By: Mowery

C.S.H.B. No. 334

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the adoption and enforcement by certain municipalities  
3 of a rehabilitation code or provisions governing the rehabilitation  
4 of structures.

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

6 SECTION 1. The heading to Subchapter G, Chapter 214, Local  
7 Government Code, is amended to read as follows:

8 SUBCHAPTER G. BUILDING AND REHABILITATION CODES

9 SECTION 2. Subchapter G, Chapter 214, Local Government  
10 Code, is amended by adding Section 214.215 to read as follows:

11 Sec. 214.215. ADOPTION OF REHABILITATION CODES OR  
12 PROVISIONS. (a) In this section, "rehabilitation" means the  
13 alteration, remodeling, enlargement, or repair of an existing  
14 structure.

15 (b) A municipality that adopts a building code, other than  
16 the International Residential Code adopted under Section 214.212,  
17 shall adopt one of the following:

18 (1) prescriptive provisions for rehabilitation as  
19 part of the municipality's building code; or

20 (2) the rehabilitation code that accompanies the  
21 building code adopted by the municipality.

22 (c) The rehabilitation code or prescriptive provisions do  
23 not apply to the rehabilitation of a structure to which the  
24 International Residential Code applies or to the construction of a

1 new structure.

2 (d) The rehabilitation code must be a code, as it existed on  
3 May 1, 2003, published by a developer of a national model code or by  
4 the American National Standards Institute. The prescriptive  
5 provisions for rehabilitation must be included in a code, as it  
6 existed on May 1, 2003, published by a developer of a national model  
7 code or by the American National Standards Institute.

8 (e) A municipality may:

9 (1) amend the rehabilitation code or the prescriptive  
10 provisions for rehabilitation; or

11 (2) review an amendment made to the rehabilitation  
12 code or prescriptive provisions for rehabilitation by the body that  
13 developed the rehabilitation code or prescriptive provisions and  
14 adopt that amendment as part of the municipality's building or  
15 rehabilitation code.

16 (f) A municipality shall enforce the prescriptive  
17 provisions for rehabilitation or the rehabilitation code in a  
18 manner consistent with the enforcement of the municipality's  
19 building code.

20 SECTION 3. A municipality shall adopt prescriptive  
21 provisions for rehabilitation, a building code with prescriptive  
22 provisions for rehabilitation, or a rehabilitation code, as  
23 required by Section 214.215, Local Government Code, as added by  
24 this Act, on or before January 1, 2004.

25 SECTION 4. This Act takes effect September 1, 2003.