

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 25, 2003

TO: Honorable Anna Mowery, Chair, House Committee on Land & Resource Management

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB2049 by Smith, Wayne (Relating to the time for processing a municipal building permit.),
Committee Report 1st House, Substituted

No fiscal implication to the State is anticipated.

The bill would amend the Local Government Code to establish a 45-day deadline for a municipality to grant or deny a permit application to erect or improve a building or other structure. If a municipality has been unable to act in this time period, it would be required to provide, within the same 45 days, written notice to the applicant of the reasons for the delay or attempt to reach an agreement with the applicant to a time certain for granting or denying the permit. The municipality would have 30 days after the applicant receives the notice to grant or deny the permit or after an agreement for a time certain is signed, otherwise the municipality would be required to waive all permit fees in regard to that application.

The bill would take effect September 1, 2003 and would apply only to applications submitted on or after that date.

Under current statute, there is no deadline requirement for granting or denying an application. Municipalities contacted by the Comptroller of Public Accounts indicated that most likely there would be no fiscal impact. If meeting the deadlines were to require additional costs, such as for an increase in staffing, the municipality would recoup the cost by increasing the building permit fee. A municipality would experience a loss if it had to waive permit fees.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: JK, CL, DLBa