

BILL ANALYSIS

Senate Research Center
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S.B. 1423
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AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently utilized International Plumbing and Mechanical Codes have no codes published in Spanish beyond the year 2000. It would be useful for tradesmen whose first language is Spanish to be able to utilize and reference code books published in Spanish. As proposed, S.B. 1423 amends language in the current Local Government Code by allowing the use of the 2003 Uniform Plumbing and Mechanical Codes. S.B. 1423 authorizes municipalities to adopt 2004 Uniform Plumbing and Mechanical Codes if the codes are published in English and Spanish.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 214.212, Local Government Code, as follows:

Sec. 214.212. New heading: MUNICIPAL RESIDENTIAL BUILDING CODE. (a) No changes to this subsection.

(b) Authorizes a municipality to adopt the 2004 Uniform Plumbing Code and the 2004 Uniform Mechanical Code in conjunction with the International Residential Code if the uniform codes are published in English and Spanish.

(c) Redesignated from existing Subsection (b). Provides that a code adopted under this section, rather than the International Residential Code, applies to all construction, alternation, remodeling, enlargement, and repair of residential structures in a municipality.

(d) Redesignated from existing Subsection (c). Makes conforming changes.

(e) Redesignated from existing Subsection (d). Authorizes a municipality to review and consider amendments made by the International Association of Plumbing and Mechanical Officials to the 2004 Uniform Plumbing Code and the 2004 Uniform Mechanical Code. Provides that Subsection (f) does not apply to an amendment adopted by a municipality under this subsection.

(f) Prohibits a local amendment adopted under Subsection (d) from resulting in less stringent building requirements than the requirements prescribed by a code adopted under this section. Provides that except as provided by Subsection (g), a local amendment adopted before September 1, 2005, that does not comply with this subsection is void.

(g) Provides that this subsection applies to a residential structure for which a municipal building permit or other similar municipal authorization for the construction, alteration, remodeling, enlargement, or repair of the structure was required and approved before September 1, 2005. Provides that a local amendment adopted under Subsection (d) that does not comply with Subsection (f) continues in effect with respect to a residential structure subject to this subsection.

SECTION 2. Amends Section 214.214, Local Government Code, by adding Subsections (c) and (d), as follows:

(c) Prohibits a local amendment adopted under Subsection (b) from resulting in less stringent electrical construction requirements than the requirements prescribed by the National Electric Code, as it existed on May 1, 2001. Provides that except as provided by Subsection (d), a local amendment adopted before September 1, 2005, that does not comply with this subsection is void.

(d) Provides that this subsection applies to a residential structure for which a residential electrical construction application or other similar municipal authorization was required and approved before September 1, 2005. Provides that a local amendment adopted under Subsection (b) that does not comply with Subsection (c) continues in effect with respect to a residential structure subject to this subsection.

SECTION 3. Effective date: September 1, 2005.