

## **BILL ANALYSIS**

Senate Research Center

S.B. 1458  
By: Wentworth  
Intergovernmental Relations  
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Enrolled

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Currently, the International Building Code (IBC) is the standard in the United States for the building industry. Although the code is in effect across a majority of Texas, it is adopted in different forms.

S.B. 1458 adopts the IBC as the commercial building code for use in Texas. The adoption of a uniform code will provide consistency across municipalities and in unincorporated areas of Texas counties. This, in turn, will streamline commercial building leasing, construction, and renovation.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to municipalities and counties in SECTION 4 of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 214.211, Local Government Code, by adding Subdivisions (4) and (5), to define "International Building Code," and "commercial."

SECTION 2. Amends Section 214.213, Local Government Code, to make conforming changes.

SECTION 3. Amends Section 214.214, Local Government Code, by amending Subsection (a) and adding Subsection (c), as follows:

(a) Provides that the National Electrical Code, as it existed on May 1, 2001, is adopted as the electrical construction code in this state and applies to all residential and commercial electrical application, except as provided by Subsection (c). Makes conforming changes.

(c) Provides that the National Electrical Code applies to all commercial buildings in a municipality for which construction begins on or after January 1, 2006, and to any alteration, remodeling, enlargement, or repair of those commercial buildings.

SECTION 4. Amends Subchapter G, Chapter 214, Local Government Code, by adding Section 214.216, as follows:

Sec. 214.216. INTERNATIONAL BUILDING CODE. Sets forth that to protect the public health, safety, and welfare, the International Building Code, as it existed on May 1, 2003, is adopted as a municipal commercial building code in this state.

(b) Provides that the International Building Code applies to all commercial buildings in a municipality for which construction begins on or after January 1, 2006, and to any alteration, remodeling, enlargement, or repair of those commercial buildings.

(c) Authorizes a municipality to establish certain procedures relating to the International Building Code.

(d) Prohibits a local amendment adopted under Subsection (c) from resulting in less stringent building requirements than the requirements prescribed by the International Building Code, as it existed on May 1, 2003.

(e) Authorizes a municipality to review and consider amendments made by the International Code Council to the International Building Code after May 1, 2003. Provides that Subsection (d) does not apply to an amendment adopted by a municipality under this subsection.

SECTION 5. Requires, before January 1, 2006, rules to be established and other actions taken as necessary by municipalities to implement Section 214.216, Local Government Code as added by this Act.

SECTION 6. (a) Effective date: January 1, 2006, except as provided by Subsection (b) of this section.

(b) Provides that this section and SECTION 5 of this Act take effect September 1, 2005.