

BILL ANALYSIS

Senate Research Center
79R1787 PAM-D

S.B. 1599
By: Madla
Business & Commerce
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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

International Residential Construction Code officials recognize the need for a modern, up-to-date residential code addressing the design and construction of one- and two-family dwellings and townhouses. The International Residential Construction Code is designed to meet these needs through model code regulations that safeguard the public health and safety in all communities, large and small. Generally speaking, building codes are developed by well-intentioned people who are actively involved in the construction industry. Their purpose is "to provide minimum standards for the protection of life, limb, property, environment and for the safety and welfare of the consumer, general public, and the owners and occupants of residential buildings regulated by this code." However, it is important to keep in mind that building codes are adopted, modified, and enforced by local politicians and government officials.

Under current law, a municipality may adopt residential construction ordinances which are less stringent than the International Residential Construction Code.

As proposed, S.B. 1599 prohibits municipalities from adopting residential construction codes less stringent than the International Residential Construction Code.

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, by amending Subsection (d) and adding Subsections (e) and (f), as follows:

(d) Provides that Subsection (e) does not apply to an amendment (to the International Residential Code) adopted by a municipality under this subsection.

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

(f) 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 (c) that does not comply with Subsection (e) 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.