

AN ACT

relating to the time for processing a county building permit.

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

SECTION 1. Chapter 233, Local Government Code, is amended by adding Subchapter Z to read as follows:

SUBCHAPTER Z. MISCELLANEOUS PROVISIONS

Sec. 233.901. TIME FOR ISSUANCE OF COUNTY BUILDING PERMIT.

(a) This section applies only to a permit required by a county with a population of 3.3 million or more to construct or improve a building or other structure in the county, but does not apply to a permit for an on-site sewage disposal system.

(b) Not later than the 45th day after the date an application for a permit is submitted, the county must:

(1) grant or deny the permit;

(2) provide written notice to the applicant stating the reasons why the county has been unable to act on the permit application; or

(3) reach a written agreement with the applicant providing for a deadline for granting or denying the permit.

(c) For a permit application for which notice is provided under Subsection (b)(2), the county must grant or deny the permit not later than the 30th day after the date the notice is received.

(d) If a county fails to act on a permit application in the time required by Subsection (c) or by an agreement under Subsection

1 (b)(3), the county:

2 (1) may not collect any permit fees associated with
3 the application; and

4 (2) shall refund to the applicant any permit fees
5 associated with the application that have been collected.

6 SECTION 2. Subchapter Z, Chapter 233, Local Government
7 Code, as added by this Act, applies only to an application for a
8 permit submitted on or after September 1, 2005. An application for
9 a permit submitted before that date is governed by the law in effect
10 when the application was submitted, and the former law is continued
11 in effect for that purpose.

12 SECTION 3. This Act takes effect September 1, 2005.

President of the Senate

Speaker of the House

I certify that H.B. No. 266 was passed by the House on February 28, 2005, by a non-record vote; that the House refused to concur in Senate amendments to H.B. No. 266 on May 27, 2005, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 266 on May 29, 2005, by a non-record vote.

Chief Clerk of the House

H.B. No. 266

I certify that H.B. No. 266 was passed by the Senate, with amendments, on May 25, 2005, by the following vote: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 266 on May 29, 2005, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor