

AN ACT

relating to the regulation of industrialized buildings.

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

SECTION 1. Subdivision (2), Section 1202.001, Occupations Code, is amended to read as follows:

(2) "Construction site [~~office~~] building" means a commercial structure that is:

(A) not open to the public; and

(B) used for any purpose [~~as an office~~] at a commercial site by a person constructing a building, road, bridge, utility, or other infrastructure or improvement to real property.

SECTION 2. Subsection (d), Section 1202.003, Occupations Code, is amended to read as follows:

(d) An industrialized building includes a permanent commercial structure and a commercial structure designed to be transported from one commercial site to another commercial site but does not include:

(1) a commercial structure that exceeds three stories or 49 feet in height as measured from the finished grade elevation at the building entrance to the peak of the roof; or

(2) a commercial building or structure that is:

(A) installed in a manner other than on a permanent foundation; and

(B) either:

- 1 (i) not open to the public; or
- 2 (ii) less than 1,500 square feet in total
- 3 area and used other than as a school or a place of religious
- 4 worship.

5 SECTION 3. Section 1202.203, Occupations Code, is amended
6 by amending Subsection (b) and adding Subsection (d) to read as
7 follows:

8 (b) An approved third-party inspector shall perform on-site
9 inspections of industrialized housing [~~and buildings~~] to be located
10 outside the municipality.

11 (d) If required by commission rule, an approved third-party
12 inspector shall perform on-site inspections of industrialized
13 buildings to be located outside the municipality.

14 SECTION 4. Subsection (b), Section 1202.204, Occupations
15 Code, is amended to read as follows:

16 (b) The commission by rule shall exempt a construction site
17 [~~office~~] building from the requirements of this section.

18 SECTION 5. Subsection (c), Section 1202.003, Occupations
19 Code, is repealed.

20 SECTION 6. The changes in law made by this Act apply to any
21 building or structure at a commercial site regardless of the date of
22 installation of that building or structure.

23 SECTION 7. This Act takes effect September 1, 2005.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 443 passed the Senate on April 14, 2005, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 443 passed the House on May 20, 2005, by a non-record vote.

Chief Clerk of the House

Approved:

Date

Governor