

By: Gallegos

S.B. No. 1423

A BILL TO BE ENTITLED

AN ACT

relating to the adoption of certain residential building codes in municipalities.

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

SECTION 1. Section 214.212, Local Government Code, is amended to read as follows:

Sec. 214.212. MUNICIPAL [~~INTERNATIONAL~~] RESIDENTIAL BUILDING CODE. (a) To protect the public health, safety, and welfare, the International Residential Code, as it existed on May 1, 2001, is adopted as a municipal residential building code in this state.

(b) A municipality may 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 Spanish and English.

(c) A code adopted under this section [~~The International Residential Code~~] applies to all construction, alteration, remodeling, enlargement, and repair of residential structures in a municipality.

(d) [~~(c)~~] A municipality may establish procedures:

(1) to adopt local amendments to a code adopted under this section [~~the International Residential Code~~]; and

(2) for the administration and enforcement of a code adopted under this section [~~the International Residential Code~~].

1 (e) [~~(d)~~] A municipality may review and consider amendments
2 made by the International Code Council to the International
3 Residential Code after May 1, 2001. A municipality may review and
4 consider amendments made by the International Association of
5 Plumbing and Mechanical Officials to the 2004 Uniform Plumbing Code
6 and the 2004 Uniform Mechanical Code. Subsection (f) does not apply
7 to an amendment adopted by a municipality under this subsection.

8 (f) A local amendment adopted under Subsection (d) may not
9 result in less stringent building requirements than the
10 requirements prescribed by a code adopted under this section.
11 Except as provided by Subsection (g), a local amendment adopted
12 before September 1, 2005, that does not comply with this subsection
13 is void.

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

22 SECTION 2. Section 214.214, Local Government Code, is
23 amended by adding Subsections (c) and (d) to read as follows:

24 (c) A local amendment adopted under Subsection (b) may not
25 result in less stringent electrical construction requirements than
26 the requirements prescribed by the National Electric Code, as it
27 existed on May 1, 2001. Except as provided by Subsection (d), a

1 local amendment adopted before September 1, 2005, that does not
2 comply with this subsection is void.

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

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