

1-1 By: Gallegos S.B. No. 1423  
1-2 (In the Senate - Filed March 10, 2005; March 21, 2005, read  
1-3 first time and referred to Committee on Intergovernmental  
1-4 Relations; April 12, 2005, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;  
1-6 April 12, 2005, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1423 By: Gallegos

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the adoption of certain residential building codes in  
1-11 municipalities.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 214.212, Local Government Code, is  
1-14 amended to read as follows:

1-15 Sec. 214.212. MUNICIPAL [~~INTERNATIONAL~~] RESIDENTIAL  
1-16 BUILDING CODE. (a) To protect the public health, safety, and  
1-17 welfare, the International Residential Code, as it existed on May  
1-18 1, 2001, is adopted as a municipal residential building code in this  
1-19 state.

1-20 (b) A municipality may adopt the 2003 Uniform Plumbing Code  
1-21 and the 2003 Uniform Mechanical Code in conjunction with the  
1-22 International Residential Code if the uniform codes are published  
1-23 in Spanish and English.

1-24 (c) A code adopted under this section [The International  
1-25 Residential Code] applies to all construction, alteration,  
1-26 remodeling, enlargement, and repair of residential structures in a  
1-27 municipality.

1-28 (d) [~~(c)~~] A municipality may establish procedures:

1-29 (1) to adopt local amendments to a code adopted under  
1-30 this section [the International Residential Code]; and

1-31 (2) for the administration and enforcement of a code  
1-32 adopted under this section [the International Residential Code].

1-33 (e) [~~(d)~~] A municipality may review and consider amendments  
1-34 made by the International Code Council to the International  
1-35 Residential Code after May 1, 2001. A municipality may review and  
1-36 consider amendments made by the International Association of  
1-37 Plumbing and Mechanical Officials to the 2003 Uniform Plumbing Code  
1-38 and the 2003 Uniform Mechanical Code. Subsection (f) does not apply  
1-39 to an amendment adopted by a municipality under this subsection.

1-40 (f) A local amendment adopted under Subsection (d) may not  
1-41 result in less stringent building requirements than the  
1-42 requirements prescribed by a code adopted under this section.  
1-43 Except as provided by Subsection (g), a local amendment adopted  
1-44 before September 1, 2005, that does not comply with this subsection  
1-45 is void.

1-46 (g) This subsection applies to a residential structure for  
1-47 which a municipal building permit or other similar municipal  
1-48 authorization for the construction, alteration, remodeling,  
1-49 enlargement, or repair of the structure was required and approved  
1-50 before September 1, 2005. A local amendment adopted under  
1-51 Subsection (d) that does not comply with Subsection (f) continues  
1-52 in effect with respect to a residential structure subject to this  
1-53 subsection.

1-54 SECTION 2. This Act takes effect September 1, 2005.

1-55 \* \* \* \* \*