

By: Wentworth

S.B. No. 1458

A BILL TO BE ENTITLED

AN ACT

relating to the adoption of a uniform commercial building code for use in the state.

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

SECTION 1. Section 214.211, Local Government Code, is amended by adding Subdivisions (4) and (5) to read as follows:

(4) "International Building Code" means the International Building Code promulgated by the International Code Council.

(5) "Commercial" means a building for the use or occupation of people for:

(A) a public purpose or economic gain; or

(B) a residence if the building is a multifamily residence that is not defined as residential by this section.

SECTION 2. Section 214.213, Local Government Code, is amended to read as follows:

Sec. 214.213. EXCEPTIONS. (a) The International Residential Code and the International Building Code do ~~does~~ not apply to the installation and maintenance of electrical wiring and related components.

(b) A municipality is not required to review and consider adoption of amendments to the International Residential Code or the International Building Code regarding electrical provisions.

SECTION 3. Subsection (a), Section 214.214, Local

1 Government Code, is amended to read as follows:

2 (a) The National Electrical Code, as it existed on May 1,
3 2001, is adopted as the municipal [~~residential~~] electrical
4 construction code in the state and applies to all residential and
5 commercial electrical construction applications.

6 SECTION 4. Subchapter G, Chapter 214, Local Government
7 Code, is amended by adding Section 214.216 to read as follows:

8 Sec. 214.216. INTERNATIONAL BUILDING CODE. (a) To protect
9 the public health, safety, and welfare, the International Building
10 Code, as it existed on May 1, 2003, is adopted as a municipal
11 commercial building code in this state.

12 (b) The International Building Code applies to all
13 commercial buildings in a municipality for which construction
14 begins on or after January 1, 2006, and to any alteration,
15 remodeling, enlargement, or repair of those commercial buildings.

16 (c) A municipality may establish procedures:

17 (1) to adopt local amendments to the International
18 Building Code; and

19 (2) for the administration and enforcement of the
20 International Building Code.

21 (d) A local amendment adopted under Subsection (c) may not
22 result in less stringent building requirements than the
23 requirements prescribed by the International Building Code, as it
24 existed on May 1, 2000.

25 (e) A municipality may review and consider amendments made
26 by the International Code Council to the International Building
27 Code after May 1, 2000. Subsection (d) does not apply to an

1 amendment adopted by a municipality under this subsection.

2 SECTION 5. Chapter 233, Local Government Code, is amended
3 by adding Subchapter E to read as follows:

4 SUBCHAPTER E. COMMERCIAL BUILDING CODE

5 Sec. 233.121. DEFINITIONS. In this subchapter:

6 (1) "Commercial" means a building for the use or
7 occupation of people for:

8 (A) a public purpose or economic gain; or

9 (B) a residence if the building is a multifamily
10 residence that is not defined as residential by this section.

11 (2) "International Building Code" means the
12 International Building Code promulgated by the International Code
13 Council.

14 (3) "Residential" means having the character of a
15 detached one-family or two-family dwelling or a multiple
16 single-family dwelling that is not more than three stories high
17 with separate means of egress, including the accessory structures
18 of the dwelling, and that does not have the character of a facility
19 used for the accommodation of transient guests or a structure in
20 which medical, rehabilitative, or assisted living services are
21 provided in connection with the occupancy of the structure.

22 Sec. 233.122. INTERNATIONAL BUILDING CODE. (a) To protect
23 the public health, safety, and welfare, the International Building
24 Code, as it existed on May 1, 2003, is adopted as a commercial
25 building code in the unincorporated area of counties in this state.

26 (b) The International Building Code applies to all
27 commercial buildings in the unincorporated area of a county for

1 which construction begins on or after January 1, 2006, and to any
2 alteration, remodeling, enlargement, or repair of those commercial
3 buildings.

4 (c) The commissioners court of a county may establish
5 procedures:

6 (1) to adopt local amendments to the International
7 Building Code; and

8 (2) for the administration and enforcement of the
9 International Building Code.

10 (d) A local amendment adopted under Subsection (c) may not
11 result in less stringent building requirements than the
12 requirements prescribed by the International Building Code, as it
13 existed on May 1, 2000.

14 (e) The commissioners court may review and consider
15 amendments made by the International Code Council to the
16 International Building Code after May 1, 2000. Subsection (d) does
17 not apply to an amendment adopted by a county under this subsection.

18 SECTION 6. Before January 1, 2006, rules shall be
19 established and other actions taken as necessary:

20 (1) by municipalities to implement Section 214.216,
21 Local Government Code, as added by this Act; and

22 (2) by counties to implement Subchapter E, Chapter
23 233, Local Government Code, as added by this Act.

24 SECTION 7. (a) Except as provided by Subsection (b) of
25 this section, this Act takes effect January 1, 2006.

26 (b) This section and Section 6 of this Act take effect
27 September 1, 2005.