

BILL ANALYSIS

S.B. 352
By: Ellis
Urban Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, notices regarding substandard buildings are required to be sent by personal delivery or by certified United States Mail, return-receipt-requested. Since there are less expensive delivery methods that provide verification procedures, broadening the method of delivery that may be used could be more cost-effective.

The engrossed version of Senate Bill No. 352 requires notices regarding substandard buildings to be sent by personal delivery, by certified United States Mail with return-receipt-requested, or by delivery via the United States Postal Service using signature confirmation service.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a State officer, institution, department or agency.

SECTION-BY-SECTION ANALYSIS

SECTION 1. Amends Section 54.035(a), Local Government Code, to require the method of providing notice to certain persons of all proceedings before the building and standards commission panels regarding the enforcement of certain municipal building ordinances, including those involving substandard buildings, to be by personal delivery, by certified mail with return receipt requested, or by delivery by the United States Postal Service using signature confirmation service.

SECTION 2. Amends Section 54.039(a), Local Government Code, to make conforming changes to those being made in Section 54.035(a), namely the addition of the option for delivery by the United States Postal Service, using signature confirmation service.

SECTION 3. Amends Sections 214.001(d) and (g), Local Government Code, to require the method of a municipality providing to certain persons a notice containing information regarding the enforcement of certain municipal ordinances involving substandard buildings to be delivered by personal delivery, sent by certified mail with return receipt requested, or delivered by the United States Postal Service using signature confirmation service. Makes a conforming change.

SECTION 4. Amends Section 214.0012(a), Local Government Code, to make a conforming changes for Section 214.001(d), namely the addition of the option for delivery by the United States Postal Service, using signature confirmation service.

SECTION 5. Effective date: Upon passage (if the required two-thirds vote is obtained in both houses of the Legislature) or on the default date of September 1, 2007.

EFFECTIVE DATE

Immediately, if the bill receives a vote of two-thirds, or greater, in both houses of the Legislature. If the bill passes—but by a margin of less than two-thirds in either house of the Legislature—then the bill would take effect on the default date of September 1, 2007.