

1-1 By: Eltife S.B. No. 1606  
1-2 (In the Senate - Filed March 10, 2009; March 17, 2009, read  
1-3 first time and referred to Committee on Education; April 7, 2009,  
1-4 reported adversely, with favorable Committee Substitute by the  
1-5 following vote: Yeas 8, Nays 0; April 7, 2009, sent to printer.)

1-6 COMMITTEE SUBSTITUTE FOR S.B. No. 1606 By: Patrick

1-7 A BILL TO BE ENTITLED  
1-8 AN ACT

1-9 relating to the regulation of industrialized housing and buildings.  
1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subsection (c), Section 1202.002, Occupations  
1-12 Code, is amended to read as follows:

1-13 (c) Industrialized housing does not include:

1-14 (1) a residential structure that exceeds three stories  
1-15 or 49 feet in height [~~as measured from the finished grade elevation~~  
1-16 ~~at the building entrance to the peak of the roof~~];

1-17 (2) housing constructed of a sectional or panelized  
1-18 system that does not use a modular component; or

1-19 (3) a ready-built home constructed in a manner in  
1-20 which the entire living area is contained in a single unit or  
1-21 section at a temporary location for the purpose of selling and  
1-22 moving the home to another location.

1-23 SECTION 2. Subsection (d), Section 1202.003, Occupations  
1-24 Code, is amended to read as follows:

1-25 (d) An industrialized building includes a permanent  
1-26 commercial structure and a commercial structure designed to be  
1-27 transported from one commercial site to another commercial site but  
1-28 does not include:

1-29 (1) a commercial structure that exceeds three stories  
1-30 or 49 feet in height [~~as measured from the finished grade elevation~~  
1-31 ~~at the building entrance to the peak of the roof~~]; or

1-32 (2) a commercial building or structure that is:

1-33 (A) installed in a manner other than on a  
1-34 permanent foundation; and

1-35 (B) either:

1-36 (i) not open to the public; or

1-37 (ii) less than 1,500 square feet in total  
1-38 area and used other than as a school or a place of religious  
1-39 worship.

1-40 SECTION 3. Subchapter A, Chapter 1202, Occupations Code, is  
1-41 amended by adding Section 1202.004 to read as follows:

1-42 Sec. 1202.004. RELOCATABLE EDUCATIONAL FACILITIES.

1-43 (a) In this section, "relocatable educational facility" means a  
1-44 portable, modular building capable of being relocated, regardless  
1-45 of whether the facility is built at the installation site, that is  
1-46 used primarily as an educational facility for teaching the  
1-47 curriculum required under Section 28.002, Education Code.

1-48 (b) A relocatable educational facility that is purchased or  
1-49 leased on or after January 1, 2010, must comply with all provisions  
1-50 applicable to industrialized buildings under this chapter.

1-51 SECTION 4. Subsection (b), Section 1202.1535, Occupations  
1-52 Code, is amended to read as follows:

1-53 (b) The owner of an industrialized building designed to be  
1-54 transported from one commercial site to another that bears an  
1-55 approved decal or insignia indicating the building complies with  
1-56 the mandatory building codes and that is modified or altered after  
1-57 the date the council adopts a new mandatory building code or the  
1-58 council approves a building code amendment must ensure that the  
1-59 modified or altered building complies with the requirements and  
1-60 standards of the new building code or amendment to the extent  
1-61 required by the most recent edition of the International Existing  
1-62 Building Code adopted by the council[+]

1-63 [~~(1) the entire building complies with the mandatory~~

2-1 ~~building code or building code amendment if the cost of the~~  
2-2 ~~modification or alteration to the building is at least 50 percent of~~  
2-3 ~~the value of the modules or modular components used in the~~  
2-4 ~~construction of the building; or~~

2-5 ~~[(2) the modified or altered portion of the building~~  
2-6 ~~complies with the mandatory building code or building code~~  
2-7 ~~amendment if the cost of the modification or alteration is less than~~  
2-8 ~~50 percent of the value of the modules or modular components].~~

2-9 SECTION 5. Subsection (b), Section 46.008, Education Code,  
2-10 is repealed.

2-11 SECTION 6. (a) Except as provided by Subsection (b) of  
2-12 this section, this Act takes effect September 1, 2009.

2-13 (b) Section 5 of this Act takes effect December 31, 2009.

2-14 \* \* \* \* \*