

By: Gallegos

S.B. No. 1898

A BILL TO BE ENTITLED

AN ACT

relating to the applicability of a fire code in an unincorporated area of a county.

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

SECTION 1. Section 233.0615(a), Local Government Code, is amended by adding Subdivisions (1-a) and (1-b) and amending Subdivision (2) to read as follows:

(1-a) "Commercial establishment" means a building for the use or occupation of people for compensation or economic gain.

(1-b) "Public building" means a building for the use or occupation of people for any public purpose.

(2) "Substantial improvement" means:

(A) the repair, alteration, restoration, reconstruction, improvement, or remodeling of an existing [a] building for which the cost exceeds 50 percent of the building's value according to the certified tax appraisal roll for the county for the year preceding the year in which the work was begun; [~~or~~]

(B) a change in occupancy classification involving a change in the purpose or level of activity in a building, including the renovation of a warehouse into a loft apartment; or

(C) the enlargement of an existing building.

SECTION 2. Section 233.0615(b), Local Government Code, is amended to read as follows:

1 (b) For purposes of this subchapter, substantial
2 improvement begins on the date that the repair, alteration,
3 enlargement, restoration, reconstruction, improvement, or
4 remodeling or the change in occupancy classification begins or on
5 the date materials are first delivered for that purpose.

6 SECTION 3. Section 233.062(a), Local Government Code, is
7 amended to read as follows:

8 (a) The fire code applies only to the following buildings
9 constructed in an unincorporated area of the county:

- 10 (1) a commercial establishment;
- 11 (2) a public building; and
- 12 (3) a multifamily residential dwelling consisting of
13 three [~~four~~] or more units.

14 SECTION 4. The changes in law made by this Act apply only to
15 an application for a permit for construction or substantial
16 improvement submitted on or after the effective date of this Act.
17 An application for a permit submitted before the effective date of
18 this Act is governed by the law in effect on the date the
19 application was submitted, and the former law is continued in
20 effect for that purpose.

21 SECTION 5. This Act takes effect September 1, 2009.