

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**May 30, 2009**

**TO:** Honorable David Dewhurst , Lieutenant Governor, Senate  
Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB2833** by Marquez (Relating to certain building code standards applicable to the unincorporated areas of certain counties; providing a penalty.), **Conference Committee Report**

<b>No fiscal implication to the State is anticipated.</b>
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The bill would amend the Local Government Code by adding Subchapter F to Chapter 233 to establish certain standards and procedures that residential construction in the unincorporated area of a county located within 50 miles of an international border or that has a population of more than 100 must meet if the county has adopted a resolution or order requiring the provisions of the subchapter be applied. An exception would apply to construction in the extraterritorial jurisdiction of a municipality if the municipality has adopted a building code.

The bill would provide certain actions that the county would be authorized to take to enforce compliance with the requirements of the bill. A county would not be allowed to charge a fee regarding enforcement of standards. If a person fails to comply with requirements under the provisions of the bill relating to inspection and notice requirements, the offense would be a Class C misdemeanor. Provisions of the bill would apply only to new residential construction begun after September 1, 2009.

**Local Government Impact**

A county would incur costs associated with enforcement that would depend on the number of residential construction projects to which the provisions of the bill would apply and which authorized actions may be pursued for each noncompliant project.

**Source Agencies:**

**LBB Staff:** JOB, DB