

SENATE AMENDMENTS

2nd Printing

By: Kuempel

H.B. No. 2763

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the regulation of industrialized housing and buildings.

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

4 SECTION 1. Section 1202.002(c), Occupations Code, is
5 amended to read as follows:

6 (c) Industrialized housing does not include:

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

10 (2) housing constructed of a sectional or panelized
11 system that does not use a modular component; or

12 (3) a ready-built home constructed in a manner in
13 which the entire living area is contained in a single unit or
14 section at a temporary location for the purpose of selling and
15 moving the home to another location.

16 SECTION 2. Section 1202.003(d), Occupations Code, is
17 amended to read as follows:

18 (d) An industrialized building includes a permanent
19 commercial structure and a commercial structure designed to be
20 transported from one commercial site to another commercial site but
21 does not include:

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

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

2 (A) installed in a manner other than on a
3 permanent foundation; and

4 (B) either:

5 (i) not open to the public; or

6 (ii) less than 1,500 square feet in total
7 area and used other than as a school or a place of religious
8 worship.

9 SECTION 3. Subchapter A, Chapter 1202, Occupations Code, is
10 amended by adding Section 1202.004 to read as follows:

11 Sec. 1202.004. RELOCATABLE EDUCATIONAL FACILITIES. (a) In
12 this section, "relocatable educational facility" means a portable,
13 modular building capable of being relocated, regardless of whether
14 the facility is built at the installation site, that is used
15 primarily as an educational facility for teaching the curriculum
16 required under Section 28.002, Education Code.

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

20 SECTION 4. Section 1202.1535(b), Occupations Code, is
21 amended to read as follows:

22 (b) The owner of an industrialized building designed to be
23 transported from one commercial site to another that bears an
24 approved decal or insignia indicating the building complies with
25 the mandatory building codes and that is modified or altered after
26 the date the council adopts a new mandatory building code or the
27 council approves a building code amendment must ensure that the

1 modified or altered building complies with the requirements and
2 standards of the new building code or amendment to the extent
3 required by the most recent edition of the International Existing
4 Building Code adopted by the council [+

5 ~~[(1) the entire building complies with the mandatory~~
6 ~~building code or building code amendment if the cost of the~~
7 ~~modification or alteration to the building is at least 50 percent of~~
8 ~~the value of the modules or modular components used in the~~
9 ~~construction of the building, or~~

10 ~~[(2) the modified or altered portion of the building~~
11 ~~complies with the mandatory building code or building code~~
12 ~~amendment if the cost of the modification or alteration is less than~~
13 ~~50 percent of the value of the modules or modular components].~~

14 SECTION 5. Section 46.008(b), Education Code, is repealed.

15 SECTION 6. This Act takes effect September 1, 2009.

ADOPTED

MAY 21, 2009

Atty. Gen.
Secretary of the Senate

By: Kuempel/Elife

H.B. No. 2163

Substitute the following for H.B. No. 2163:

By: Patricia VandePutte

C.S. H.B. No. 2163

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9 SECTION 3. Subchapter A, Chapter 1202, Occupations Code, is
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12 ~~amendment if the cost of the modification or alteration is less than~~
13 ~~50 percent of the value of the modules or modular components].~~

14 SECTION 5. Section 46.008(b), Education Code, is repealed.

15 SECTION 6. (a) Except as provided by Subsection (b) of this
16 section, this Act takes effect September 1, 2009.

17 (b) Section 5 of this Act takes effect December 31, 2009.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 23, 2009

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

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

IN RE: HB2763 by Kuempel (Relating to the regulation of industrialized housing and buildings.), As Passed 2nd House

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 452 Department of Licensing and Regulation, 701 Central Education Agency

LBB Staff: JOB, SD, JSp, JRO, ES

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 7, 2009

TO: Honorable Florence Shapiro, Chair, Senate Committee on Education

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

IN RE: HB2763 by Kuempel (relating to the regulation of industrialized housing and buildings.),
Committee Report 2nd House, Substituted

No fiscal implication to the State is anticipated.

Local Government Impact

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Source Agencies: 452 Department of Licensing and Regulation, 701 Central Education Agency

LBB Staff: JOB, JSp, JRO, ES

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 17, 2009

TO: Honorable Florence Shapiro, Chair, Senate Committee on Education

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

IN RE: HB2763 by Kuempel (Relating to the regulation of industrialized housing and buildings.), **As Engrossed**

No fiscal implication to the State is anticipated.

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LBB Staff: JOB, JSp, JRO, ES

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 24, 2009

TO: Honorable Edmund Kuempel, Chair, House Committee on Licensing & Administrative Procedures

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

IN RE: HB2763 by Kuempel (Relating to the regulation of industrialized housing and buildings.), As Introduced

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

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