

By: Marquez, Munoz, Jr.

H.B. No. 1649

Substitute the following for H.B. No. 1649:

By: Gonzales of Williamson

C.S.H.B. No. 1649

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the enforcement of building code standards for new
3 residential construction in the unincorporated area of a county;
4 providing a fee.

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

6 SECTION 1. Subchapter F, Chapter 233, Local Government
7 Code, is amended by adding Sections 233.1545 and 233.1546 to read as
8 follows:

9 Sec. 233.1545. FEE. A county may charge a fee not to exceed
10 \$25 for each new residential construction to defray the costs of
11 administering the building code requirements of this subchapter.

12 Sec. 233.1546. CERTIFICATION OF COMPLIANCE; CONNECTION OF
13 UTILITIES. (a) A county may require the issuance of a certificate
14 of compliance as a precondition to obtaining utility services as
15 provided by this section.

16 (b) The county shall, not later than the fifth business day
17 after the date a request is received under this subsection, issue
18 the requesting party a written certificate of compliance if:

19 (1) the county receives a written request from a
20 person who builds new residential construction subject to this
21 section, the person for whom the new residential construction is
22 built, or an entity that provides utility service; and

23 (2) the requesting party demonstrates that the new
24 residential construction has complied with all requirements

1 applicable under this subchapter as determined by the county.

2 (c) An electric, gas, water, or sewer service utility may
3 not permanently serve or connect new residential construction
4 subject to this section with electricity, gas, water, sewer, or
5 other utility service unless the utility receives a certificate
6 issued by the county that states that compliance with all
7 requirements applicable under this subchapter was demonstrated as
8 provided by Subsection (b).

9 (d) Subsection (c) does not prevent the temporary use or
10 connection of utilities necessary to complete new residential
11 construction, including temporary use or connection of utilities to
12 pass an inspection under this subchapter.

13 SECTION 2. Section 233.153(f), Local Government Code, is
14 repealed.

15 SECTION 3. The changes in law made by this Act apply only to
16 new residential construction that commences on or after the
17 effective date of this Act, except that if the county requires
18 notice under Section 233.154(b), Local Government Code, this Act
19 applies only to new residential construction for which notice was
20 given on or after the effective date of this Act.

21 SECTION 4. This Act takes effect September 1, 2011.