

By: Marquez

H.B. No. 1649

A BILL TO BE ENTITLED

AN ACT

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

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

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

Sec. 233.1545. FEE. A county may charge a fee not to exceed \$125 for each new residential construction project to defray the costs of administering the building code requirements of this subchapter.

Sec. 233.1546. CERTIFICATION OF COMPLIANCE; CONNECTION OF UTILITIES. (a) This section applies only to new residential construction of a single-family house or duplex.

(b) On the written request of a person who builds new residential construction subject to this section, the person for whom the new residential construction is built, or an entity that provides utility service, the commissioners court shall:

(1) determine whether the new residential construction meets all requirements applicable under this subchapter; and

(2) issue the requesting party a written certificate of its determination.

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

8        SECTION 2. Section 233.153(f), Local Government Code, is  
9 repealed.

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

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