

By: Smith of Harris

H.B. No. 2266

A BILL TO BE ENTITLED

AN ACT

relating to fire code certificates of compliance.

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

SECTION 1. Section 233.064, Local Government Code, is amended by amending Subsections (f) and (g) and adding Subsections (h) and (i) to read as follows:

(f) The county shall issue a final certificate of compliance to the owner of a building inspected under this section if the inspector determines, after an inspection of the completed building, that the building complies with the fire code. For a building or complex of buildings involving phased completion or build-out, the county may issue a partial certificate of compliance for any portion of the building or complex the inspector determines is in substantial compliance with the fire code.

(g) If the inspector determines, after an inspection of the completed building, that the building does not comply with the fire code, the county may:

(1) ~~[the county shall]~~ deny the certificate of compliance; or ~~[and]~~

(2) issue a conditional or partial certificate of compliance and allow the building to ~~[may not]~~ be occupied.

(h) A county that issues a conditional certificate of compliance under Subsection (g) shall notify the owner of the building of the violations of the fire code and establish a

1 reasonable time to remedy the violations. A county may revoke a  
2 conditional certificate of compliance if the owner does not remedy  
3 the violations within the time specified on the conditional  
4 certificate of compliance.

5 (i) A building may not be occupied until a county issues a  
6 final, conditional, or partial certificate of compliance for the  
7 building.

8 SECTION 2. A county may issue a partial or conditional  
9 certificate of compliance under Section 233.064(f) or (g), Local  
10 Government Code, as amended by this Act, on or after the effective  
11 date of this Act to any building or complex of buildings that  
12 qualifies for the partial or conditional certificate of compliance,  
13 regardless of whether the building project started before, on, or  
14 after the effective date of this Act.

15 SECTION 3. This Act takes effect September 1, 2011.