

1-1 By: Smith of Harris (Senate Sponsor - Patrick) H.B. No. 2266  
1-2 (In the Senate - Received from the House April 18, 2011;  
1-3 April 26, 2011, read first time and referred to Committee on  
1-4 Intergovernmental Relations; May 21, 2011, reported favorably by  
1-5 the following vote: Yeas 3, Nays 0; May 21, 2011, sent to  
1-6 printer.)

1-7 A BILL TO BE ENTITLED  
1-8 AN ACT

1-9 relating to fire code certificates of compliance.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 233.064, Local Government Code, is  
1-12 amended by amending Subsections (f) and (g) and adding Subsections  
1-13 (h) and (i) to read as follows:

1-14 (f) The county shall issue a final certificate of compliance  
1-15 to the owner of a building inspected under this section if the  
1-16 inspector determines, after an inspection of the completed  
1-17 building, that the building complies with the fire code. For a  
1-18 building or complex of buildings involving phased completion or  
1-19 build-out, the county may issue a partial certificate of compliance  
1-20 for any portion of the building or complex the inspector determines  
1-21 is in substantial compliance with the fire code.

1-22 (g) If the inspector determines, after an inspection of the  
1-23 completed building, that the building does not comply with the fire  
1-24 code, the county may:

1-25 (1) ~~[the county shall]~~ deny the certificate of  
1-26 compliance; ~~or [and]~~

1-27 (2) issue a conditional or partial certificate of  
1-28 compliance and allow the building to [may not] be occupied.

1-29 (h) A county that issues a conditional certificate of  
1-30 compliance under Subsection (g) shall notify the owner of the  
1-31 building of the violations of the fire code and establish a  
1-32 reasonable time to remedy the violations. A county may revoke a  
1-33 conditional certificate of compliance if the owner does not remedy  
1-34 the violations within the time specified on the conditional  
1-35 certificate of compliance.

1-36 (i) A building may not be occupied until a county issues a  
1-37 final, conditional, or partial certificate of compliance for the  
1-38 building.

1-39 SECTION 2. A county may issue a partial or conditional  
1-40 certificate of compliance under Section 233.064(f) or (g), Local  
1-41 Government Code, as amended by this Act, on or after the effective  
1-42 date of this Act to any building or complex of buildings that  
1-43 qualifies for the partial or conditional certificate of compliance,  
1-44 regardless of whether the building project started before, on, or  
1-45 after the effective date of this Act.

1-46 SECTION 3. This Act takes effect September 1, 2011.

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