

By: Rodriguez

S.B. No. 861

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 \$125 for each new residential construction project to defray the
11 costs of administering the building code requirements of this
12 subchapter.

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

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

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

23 (2) issue the requesting party a written certificate
24 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9 repealed.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.