

By: Guillen

H.B. No. 578

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of industrialized housing and buildings.

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

SECTION 1. Subchapter C, Chapter 1202, Occupations Code, is amended by adding Section 1202.107 to read as follows:

Sec. 1202.107. LIMITATION ON CERTAIN ACTIONS.

Notwithstanding any other law, the commission or department may not perform an inspection or investigation, open a complaint, initiate an administrative or enforcement action, or impose a penalty against a manufacturer, builder, or third-party inspector of industrialized housing after the first anniversary of the date of the final on-site inspection of the industrialized housing conducted under Section 1202.203.

SECTION 2. Section 1202.155, Occupations Code, is amended to read as follows:

Sec. 1202.155. COUNCIL [~~STAMP OF~~] APPROVAL. [~~(a)~~] The department or approved design review agency shall approve [~~place the council's stamp of approval on each page of~~] the designs, plans, and specifications of industrialized housing and buildings that:

(1) meet or exceed the code standards and requirements under council interpretations and instructions; and

(2) are approved by the department or design review agency.

~~[(b) Each page of the designs, plans, and specifications~~

1 ~~must bear the council's stamp of approval if the designs, plans, and~~
2 ~~specifications satisfy the requirements of Subsection (a)(1) and~~
3 ~~are approved in accordance with Subsection (a)(2).]~~

4 SECTION 3. Section 1202.252(a), Occupations Code, is
5 amended to read as follows:

6 (a) A municipality that regulates the on-site construction
7 or installation of industrialized housing and buildings may:

8 (1) require and review, for compliance with mandatory
9 building codes, a complete set of designs, plans, and
10 specifications approved by the council [~~bearing the council's stamp~~
11 ~~of approval~~] for each installation of industrialized housing or
12 buildings in the municipality;

13 (2) require that all applicable local permits and
14 licenses be obtained before construction begins on a building site;

15 (3) require, in accordance with commission rules, that
16 all modules or modular components bear an approved decal or
17 insignia indicating inspection by the department; and

18 (4) establish procedures for the inspection of:

19 (A) the erection and installation of
20 industrialized housing or buildings to be located in the
21 municipality, to ensure compliance with mandatory building codes
22 and commission rules; and

23 (B) all foundation and other on-site
24 construction, to ensure compliance with approved designs, plans,
25 and specifications.

26 SECTION 4. Section 1202.107, Occupations Code, as added by
27 this Act, applies only to a complaint, administrative action, or

1 enforcement action regarding industrialized housing that is the
2 subject of an on-site inspection under Section 1202.203,
3 Occupations Code, conducted on or after the effective date of this
4 Act.

5 SECTION 5. This Act takes effect September 1, 2013.