

## **BILL ANALYSIS**

Senate Research Center  
85R743 JTS-F

S.B. 636  
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Intergovernmental Relations  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Chapter 214, Local Government Code, establishes the following as the municipal codes of Texas: the International Building Code, the International Residential Code, and the National Electric Code. These guidelines are uniform sets of construction and design best practices written by the International Code Council. Current law also enables local governments to create a process for amending these building codes.

Changes to these guidelines can have significant economic impacts on businesses, builders, homebuyers, and those who lease commercial and residential space. Because these codes outline internationally respected standards, and amending them can impose additional costs and questionable benefits, it's important that political subdivisions justify their code alterations and provide ample opportunity for public input.

S.B. 636 requires the governing board of a municipality with a population of more than 40,000 to hold a public hearing and take public comment on all proposed amendments to a national building code.

S.B. 636 also directs cities to publish a cost-benefit analysis 30 days prior to the hearing. This analysis would explain the expected cost to the local community, impact on tax revenue, effect on net growth in new development, and additional cost per unit in development and zoning type.

As proposed, S.B. 636 amends current law relating to procedures for certain municipalities to adopt or amend a national model building code.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends the heading to Section 214.217, Local Government Code, to read as follows:

Sec. 214.217. PROCEDURES FOR MODEL CODE ADOPTION OR AMENDMENT IN CERTAIN MUNICIPALITIES.

SECTION 2. Amends Section 214.217, Local Government Code, by amending Subsections (b) and (e) and adding Subsection (g), as follows:

(b) Decreases the population size of a municipality to which this section applies from more than 100,000 to more than 40,000.

(e) Deletes the provision requiring a written request from five or more persons for the governing body of the municipality to hold the described public hearing.

(g) Requires the governing body of a municipality, on or before the 30th day before the date of a hearing, to publish a cost-benefit analysis of the code or amendment that

includes certain cost estimations and, for an amendment that addresses existing or potential harm to health and safety, certain supporting scientific evidence.

SECTION 3. Effective date: September 1, 2017.