

By: Springer

H.B. No. 1120

Substitute the following for H.B. No. 1120:

By: Kuempel

C.S.H.B. No. 1120

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the authority of a political subdivision to issue a
3 building construction permit or final certificate of occupancy for
4 a building or facility required to meet certain accessibility
5 standards; requiring a related study.

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

7 SECTION 1. Section 469.102(d), Government Code, is amended
8 to read as follows:

9 (d) A public official of a political subdivision who is
10 legally authorized to issue building construction permits may not
11 accept an application for a building construction permit for a
12 building or facility subject to Section 469.101 unless the
13 applicant submits verification to the official that:

14 (1) [~~official verifies that~~] the building or facility
15 has been registered with the department as provided by rule; and

16 (2) the plans and specifications for the building or
17 facility have been submitted to the department as required by
18 Subsection (c).

19 SECTION 2. Section 469.105, Government Code, is amended by
20 adding Subsection (c) to read as follows:

21 (c) A political subdivision may not issue a final
22 certificate of occupancy to the owner of a building or facility
23 described by Section 469.101 unless the owner provides to the
24 political subdivision a report or letter from a person or entity

1 described by Subsection (b) indicating that the building or
2 facility has been inspected by the person or entity and is in
3 compliance with the requirements of this chapter.

4 SECTION 3. (a) The Texas Department of Licensing and
5 Regulation shall conduct a study regarding the effects of the
6 changes in law made by Sections 469.102(d) and 469.105, Government
7 Code, as amended by H.B. 1120, Acts of the 85th Legislature, Regular
8 Session, 2017.

9 (b) In conducting the study, the department shall compare
10 the effects of the changes in law in one municipality selected by
11 the department from each of the following categories to the effects
12 of those changes in the most populous municipality in this state:

13 (1) a municipality with a population of more than one
14 million that is not the most populous municipality in the state;

15 (2) a municipality with a population of 250,000 or
16 more but not more than 650,000; and

17 (3) a municipality located in a rural county with a
18 population of less than 50,000.

19 (c) The department must conduct the study in consultation
20 with the member of the house of representatives who introduced H.B.
21 1120, Acts of the 85th Legislature, Regular Session, 2017, and the
22 chair of the House Committee on Licensing and Administrative
23 Procedures.

24 (d) Not later than November 1, 2018, the department shall
25 submit to the legislature a written report of the results of the
26 study.

27 (e) This section of this Act expires January 1, 2019.

1 SECTION 4. Sections 469.102(d) and 469.105, Government
2 Code, as amended by this Act, apply only to a building or facility
3 for which an application for a building construction permit is
4 submitted to a political subdivision on or after the effective date
5 of this Act. A building or facility for which an application for a
6 building construction permit is submitted to a political
7 subdivision before the effective date of this Act is governed by the
8 law in effect immediately before the effective date of this Act, and
9 that law is continued in effect for that purpose.

10 SECTION 5. This Act takes effect September 1, 2017.