

By: Springer

H.B. No. 1120

A BILL TO BE ENTITLED

AN ACT

1
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; providing an administrative penalty.

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

7 SECTION 1. Subchapter B, Chapter 469, Government Code, is
8 amended by adding Section 469.0585 to read as follows:

9 Sec. 469.0585. BUILDING CONSTRUCTION PERMITS AND FINAL
10 CERTIFICATES OF OCCUPANCY; ADMINISTRATIVE PENALTY. (a) The
11 commission shall impose an administrative penalty under Subchapter
12 F, Chapter 51, Occupations Code, on a political subdivision that
13 issues a building construction permit or a final certificate of
14 occupancy in violation of Section 469.102 or 469.105.

15 (b) Notwithstanding Section 51.302, Occupations Code, the
16 total amount of an administrative penalty under this section is the
17 amount calculated by multiplying the population of the political
18 subdivision by one cent.

19 (c) An administrative penalty collected under this section
20 may be appropriated only to the trustee programs within the office
21 of the governor for the purpose of informing organizations and the
22 general public of disability issues.

23 SECTION 2. Section 469.102(d), Government Code, is amended
24 to read as follows:

1 (d) A public official of a political subdivision who is
2 legally authorized to issue building construction permits may not
3 accept an application for a building construction permit for a
4 building or facility subject to Section 469.101 unless the
5 applicant submits verification to the official that:

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

8 (2) the plans and specifications for the building or
9 facility have been submitted to the department as required by
10 Subsection (c).

11 SECTION 3. Section 469.105, Government Code, is amended by
12 adding Subsection (c) to read as follows:

13 (c) A political subdivision may not issue a final
14 certificate of occupancy to the owner of a building or facility
15 described by Section 469.101 unless the owner provides to the
16 political subdivision a report or letter from a person or entity
17 described by Subsection (b) indicating that the building or
18 facility has been inspected by the person or entity and is in
19 compliance with the requirements of this chapter.

20 SECTION 4. The changes in law made by this Act apply only to
21 a building or facility for which an application for a building
22 construction permit is submitted to a political subdivision on or
23 after the effective date of this Act. A building or facility for
24 which an application for a building construction permit is
25 submitted to a political subdivision before the effective date of
26 this Act is governed by the law in effect immediately before the
27 effective date of this Act, and that law is continued in effect for

1 that purpose.

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