

BILL ANALYSIS

C.S.H.B. 2858
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Urban Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerns have been raised that disparate municipal codes regulating pool and spa construction, alteration, remodeling, enlargement, and repair have resulted in a patchwork of regulations across Texas that make it difficult for companies to maintain the common business protocols and supplies that are necessary for them to thrive and expand. C.S.H.B. 2858 seeks to remedy this situation by adopting a common code standard for use in municipalities in Texas.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2858 amends the Local Government Code to adopt the International Swimming Pool and Spa Code promulgated by the International Code Council, as the code existed on May 1, 2019, as the municipal swimming pool and spa code in Texas to protect the public health, safety, and welfare. The bill applies that code to all construction, alteration, remodeling, enlargement, and repair of swimming pools and spas in a municipality that elects to regulate pools or spas. The bill authorizes a municipality to establish procedures for the adoption of local amendments to the code and for the administration and enforcement of the code. The bill authorizes a municipality to review and adopt amendments made by the council to the code after May 1, 2019.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2858 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute authorizes a municipality to establish procedures for the adoption of local amendments to the code.