

BILL ANALYSIS

Senate Research Center

S.B. 877
By: Hancock
Business & Commerce
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

During the pandemic, several city inspection departments were shut down for extended periods of time. Throughout the duration of the closure, cities did not use third-party inspectors to proceed on the inspection/permitting process. This caused commercial and residential real estate projects to come to a halt. These delays ultimately increased costs, stretched project timelines, and put a damper on economic development.

S.B. 877 would require cities to accept independent third-party inspections by qualified professionals during a declared disaster to help tackle the backlogs experienced in disaster areas. Using this tool will reduce project wait times and keep the residential construction industry operating as efficiently as possible during declared disasters.

(Original Author's/Sponsor's Statement of Intent)

S.B. 877 amends current law relating to the inspection of municipal buildings during a declared disaster.

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 Subchapter G, Chapter 214, Local Government Code, by adding Section 214.220, as follows:

Sec. 214.220. INSPECTION DURING DECLARED DISASTER. (a) Authorizes a building inspection for compliance with Subchapter G (Building and Rehabilitation Codes) or related municipal regulations, in an area of a municipality that is subject to a declaration of disaster by the governor under Chapter 418 (Emergency Management), Government Code, or a declaration of local disaster under that chapter, while the declaration is in effect, to be performed by a person:

(1) other than the owner of the building or a person whose work is the subject of the inspection; and

(2) who is:

(A) certified to inspect buildings by the International Code Council;

(B) employed as a building inspector by the municipality in which the building is located;

(C) employed as a building inspector by any political subdivision, if the municipality in which the building is located has approved the person to perform inspections during a disaster; or

(D) an engineer licensed under Chapter 1001 (Texas Board of Professional Engineers and Land Surveyors), Occupations Code.

(b) Prohibits a municipality from collecting an additional inspection fee related to the inspection of a building performed under Subsection (a).

(c) Requires a person who performs an inspection under this section to:

(1) comply with the municipality's building inspection regulations and policies; and

(2) not later than the 30th day after the date of the inspection, provide notice to the municipality of the inspection.

(d) Authorizes the municipality to prescribe a reasonable format for the notice provided under Subsection (c)(2).

SECTION 2. Effective date: upon passage or September 1, 2021.