

By: Hinojosa

H.B. No. 4496

A BILL TO BE ENTITLED

AN ACT

relating to municipal and county building codes.

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

SECTION 1. Sections 388.003(a) and (b), Health and Safety Code, are amended to read as follows:

(a) To achieve energy conservation in single-family residential construction, on ~~[the energy efficiency chapter of the International Residential Code, as it existed on May 1, 2001, is adopted as the energy code in this state for single-family residential construction. On]~~ January ~~[September]~~ 1, 2022 ~~[2016]~~, the energy efficiency chapter of the International Residential Code, as it existed on May 1, 2021 ~~[2015]~~, is adopted as the energy code in this state for single-family residential construction. On or after January ~~[September]~~ 1, 2028 ~~[2021]~~, the State Energy Conservation Office may adopt and substitute for that energy code the latest published edition of the energy efficiency chapter of the International Residential Code, based on written findings on the stringency of the chapter submitted by the laboratory under Subsection (b-3). The office:

(1) may not adopt an edition under this subsection more often than once every six years; and

(2) by rule shall establish an effective date for an adopted edition that is not earlier than nine months after the date of adoption.

1 (b) To achieve energy conservation in all other
2 residential, commercial, and industrial construction, the
3 International Energy Conservation Code as it existed on May 1, 2021
4 [~~2001~~], is adopted as the energy code for use in this state for all
5 other residential, commercial, and industrial construction. The
6 State Energy Conservation Office may adopt and substitute for that
7 energy code the latest published edition of the International
8 Energy Conservation Code, based on written findings on the
9 stringency of the edition submitted by the laboratory under
10 Subsection (b-3). The office by rule shall establish an effective
11 date for an adopted edition that is not earlier than nine months
12 after the date of adoption.

13 SECTION 2. Sections 214.212(a) and (d), Local Government
14 Code, are amended to read as follows:

15 (a) To protect the public health, safety, and welfare, the
16 International Residential Code, as it existed on May 1, 2021
17 [~~2001~~], is adopted as a municipal residential building code in this
18 state.

19 (d) A municipality may review and consider amendments made
20 by the International Code Council to the International Residential
21 Code after May 1, 2021 [~~2001~~].

22 SECTION 3. Sections 214.214(a) and (c), Local Government
23 Code, are amended to read as follows:

24 (a) Except as provided by Subsection (c), the National
25 Electrical Code, as it existed on May 1, 2021 [~~2001~~], is adopted as
26 the municipal electrical construction code in this state and
27 applies to all residential and commercial electrical construction

1 applications.

2 (c) The National Electrical Code applies to all commercial
3 buildings in a municipality [~~for which construction begins on or~~
4 ~~after January 1, 2006,~~] and to any alteration, remodeling,
5 enlargement, or repair of those commercial buildings.

6 SECTION 4. Sections 214.216(a), (b), (d), and (e), Local
7 Government Code, are amended to read as follows:

8 (a) To protect the public health, safety, and welfare, the
9 International Building Code, as it existed on May 1, 2021 [~~2003~~], is
10 adopted as a municipal commercial building code in this state.

11 (b) The International Building Code applies to all
12 commercial buildings in a municipality [~~for which construction~~
13 ~~begins on or after January 1, 2006,~~] and to any alteration,
14 remodeling, enlargement, or repair of those commercial buildings.

15 (d) A municipality may review and consider amendments made
16 by the International Code Council to the International Building
17 Code after May 1, 2021 [~~2003~~].

18 (e) A municipality that has adopted a more stringent
19 commercial building code before January 1, 2022 [~~2006~~], is not
20 required to repeal that code and may adopt future editions of that
21 code.

22 SECTION 5. Section 233.062(c), Local Government Code, is
23 amended to read as follows:

24 (c) The fire code must:

25 (1) conform to:

26 (A) the International Fire Code, as published by
27 the International Code Council, as the code existed on May 1, 2021

1 [2005]; or

2 (B) the Uniform Fire Code, as published by the
3 National Fire Protection Association, as the code existed on May 1,
4 2021 [2005]; or

5 (2) establish protective measures that exceed the
6 standards of the codes described by Subdivision (1).

7 SECTION 6. Section 233.153(a), Local Government Code, is
8 amended to read as follows:

9 (a) New residential construction of a single-family house
10 or duplex in the unincorporated area of a county to which this
11 subchapter applies shall conform to the version of the
12 International Residential Code published as of May 1, 2021 [2008],
13 or the version of the International Residential Code that is
14 applicable in the county seat of that county.

15 SECTION 7. Section 233.153(b), Local Government Code, is
16 repealed.

17 SECTION 8. The changes made by this Act apply only to
18 residential or commercial construction, remodeling, alteration,
19 enlargement, repair, or other activity, as applicable, that begins
20 under an agreement made on or after January 1, 2022, or that begins,
21 in the absence of an agreement, on or after that date. Residential
22 or commercial construction, remodeling, alteration, enlargement,
23 repair, or other applicable activity that begins under an agreement
24 made before January 1, 2022, or that begins, in the absence of an
25 agreement, before that date is governed by the law in effect when
26 the agreement was made or the activity began, as appropriate, and
27 that law is continued in effect for that purpose.

1 SECTION 9. This Act takes effect January 1, 2022.