

## BILL ANALYSIS

Senate Research Center  
88R18078 SCL-F

H.B. 14  
By: Harris, Cody; Toth (Bettencourt)  
Local Government  
5/19/2023  
Engrossed

### AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 14 amends current law relating to third-party review of plats and property development plans, permits, and similar documents, and the inspection of an improvement related to such a document.

### 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 Subtitle C, Title 7, Local Government Code, by adding Chapter 247, as follows:

#### CHAPTER 247. THIRD-PARTY REVIEW OF DEVELOPMENT DOCUMENTS AND INSPECTION OF IMPROVEMENTS

Sec. 247.001. DEFINITIONS. Defines "development document," "development inspection," "development permit," "plan," "plat," and "regulatory authority."

Sec. 247.002. THIRD-PARTY REVIEW OR INSPECTION REQUIRED. (a) Authorizes any required review of a development document, if a regulatory authority does not approve, conditionally approve, or disapprove the document by the 15th day after the date prescribed by a provision of this code for the approval, conditional approval, or disapproval of the document, to be performed by a person:

(1) other than:

(A) the applicant; or

(B) a person whose work is the subject of the application; and

(2) who is:

(A) employed by the regulatory authority to review development documents;

(B) employed by another political subdivision to review development documents, if the regulatory authority has approved the person to review development documents; or

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

(b) Authorizes a required development inspection, if a regulatory authority does not conduct the inspection by the 15th day after the date prescribed by a provision of this code for conducting the inspection, to be conducted by a person:

(1) other than:

(A) the owner of the land or improvement to the land that is the subject of the inspection; or

(B) 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 by the regulatory authority as a building inspector;

(C) employed by another political subdivision as a building inspector, if the regulatory authority has approved the person to perform inspections; or

(D) an engineer licensed under Chapter 1001, Occupations Code.

Sec. 247.003. **ADDITIONAL FEE PROHIBITED.** Prohibits a regulatory authority from imposing a fee related to the review of a development document or the inspection of an improvement conducted under Section 247.002.

Sec. 247.004. **THIRD-PARTY REQUIREMENTS.** (a) Requires a person who reviews a development document or conducts a development inspection under Section 247.002 to:

(1) review the document, conduct the inspection, and take all other related actions in accordance with all applicable provisions of law; and

(2) not later than the 15th day after the date the person completes the review or inspection, provide notice to the regulatory authority of the results of the review or inspection.

(b) Authorizes a regulatory authority to prescribe a reasonable format for the notice required under Subsection (a).

Sec. 247.005. **WAIVER PROHIBITED.** Prohibits a regulatory authority from requesting or requiring an applicant to waive a deadline or other procedure under this chapter.

Sec. 247.006. **APPEAL.** (a) Authorizes a person to appeal to the governing body of a political subdivision:

(1) a decision to conditionally approve or disapprove a development document made by the regulatory authority for the political subdivision or a person authorized by Section 247.002(a) to perform the review of the document; or

(2) a decision regarding a development inspection conducted by the regulatory authority or a person authorized by Section 247.002(b) to perform the inspection.

(b) Requires a person to file an appeal under this section not later than the 15th day after the date the decision being appealed is made.

(c) Provides that, if the governing body hearing the appeal does not affirm the decision being appealed by a majority vote on or before the 60th day after the date the appeal is filed:

(1) the development document that is the subject of the appeal is considered approved; or

(2) the development inspection that is the subject of the appeal is waived.

SECTION 2. Makes application of Chapter 247, Local Government Code, as added by this Act, prospective

SECTION 3. Effective date: September 1, 2023.