

## **BILL ANALYSIS**

Senate Research Center  
88R22090 KBB-D

H.B. 3526  
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Local Government  
5/5/2023  
Engrossed

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

Under current law, municipalities can classify a solar pergola as a permanent structure. Some jurisdictions require solar pergolas to be built within a certain distance of a home, or be attached to the home. This creates an issue where the building code can hinder the optimal positioning of a solar pergola for energy production. This bill creates an exception for solar pergolas from a municipal building code.

H.B. 3526 amends current law relating to the application of a municipal building code to the construction of a solar pergola.

### **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 214.221, as follows:

Sec. 214.221. REGULATION OF SOLAR PERGOLAS. Prohibits a municipality from applying a municipal building code to the construction of a solar pergola.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2023.