

## **BILL ANALYSIS**

C.S.H.B. 3826  
By: Toth  
Land & Resource Management  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Concerns have been raised that the time that it takes to receive a municipal building permit is too long. C.S.H.B. 3826 seeks to accelerate the application process for issuing such a permit by revising provisions relating to the timeline for issuance of a municipal building permit.

### **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. 3826 amends the Local Government Code to expand the conditions under which a municipality is prohibited from collecting any permit fees associated with a municipal building permit application and is required to refund to the applicant any collected permit fees associated with the application, from the municipality failing to grant or deny certain applications in the required time to the municipality failing to comply with provisions relating to the time for the issuance of a municipal building permit. The bill prohibits a municipality from denying a municipal building permit solely because the municipality is unable to comply with such provisions and from requiring an applicant to waive the requirements of those provisions. The bill restricts to only commercial building permits the permits for which a municipality is required to reach a written agreement with the applicant that provides for a deadline for granting or denying the permit, as an alternative to granting or denying the permit or notifying the applicant of the reasons why it has been unable to grant or deny the application in the required time. The bill defines "commercial" by reference as a building for the use or occupation of people for a public purpose or economic gain or a residence, if the building is a multifamily residence that is not defined as residential by provisions governing municipal building and rehabilitation codes.

C.S.H.B. 3826 applies only to a municipal building permit application that is submitted on or after the bill's effective date.

### **EFFECTIVE DATE**

September 1, 2023.

## **COMPARISON OF INTRODUCED AND SUBSTITUTE**

While C.S.H.B. 3826 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Whereas the introduced removed the requirement for a municipality to reach a written agreement with a municipal building permit applicant that provides for a deadline for granting or denying the permit, as an alternative to taking certain other actions, the substitute instead retains this requirement, but limits the applicability of the requirement to a commercial building permit and includes a definition for "commercial" by reference, which was not included in the introduced.