

By: Toth

H.B. No. 3826

A BILL TO BE ENTITLED

AN ACT

relating to the time for the issuance of municipal building permits.

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

SECTION 1. Section 214.904, Local Government Code, is amended by amending Subsections (b) and (d) and adding Subsection (e) to read as follows:

(b) Not later than the 45th day after the date an application for a permit is submitted, the municipality must:

(1) grant or deny the permit; or

(2) provide written notice to the applicant stating the reasons why the municipality has been unable to grant or deny the permit application in the time required by this subsection [~~or~~

~~[(3) reach a written agreement with the applicant providing for a deadline for granting or denying the permit].~~

(d) If a municipality fails to comply with this section [~~grant or deny a permit application in the time required by Subsection (c) or by an agreement under Subsection (b)(3)]~~, the municipality:

(1) may not collect any permit fees associated with the application; and

(2) shall refund to the applicant any permit fees associated with the application that have been collected.

(e) A municipality may not:

1           (1) deny a permit solely because the municipality is  
2 unable to comply with this section; or

3           (2) require an applicant to waive the requirements of  
4 this section.

5           SECTION 2. Section 214.904, Local Government Code, as  
6 amended by this Act, applies only to a municipal building permit  
7 application that is submitted on or after the effective date of this  
8 Act. An application submitted before the effective date of this Act  
9 is governed by the law in effect on the date the application was  
10 submitted, and the former law is continued in effect for that  
11 purpose.

12           SECTION 3. This Act takes effect September 1, 2023.