

By: Gates

H.B. No. 207

A BILL TO BE ENTITLED

AN ACT

relating to third-party review of development documents and inspection of improvements required to be approved by a political subdivision.

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

SECTION 1. Section 247.002, Local Government Code, as added by Chapter 654 (H.B. 14), Acts of the 88th Legislature, Regular Session, 2023, is amended to read as follows:

Sec. 247.002. THIRD-PARTY REVIEW OR INSPECTION REQUIRED.

(a) If a regulatory authority does not approve, conditionally approve, or disapprove a development document, including a development permit, by the 15th day after the date prescribed by a provision of this code for the approval, conditional approval, or disapproval of the document, any required review of the document may 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

1 approved the person to review development documents; or

2 (C) an engineer licensed under Chapter 1001,  
3 Occupations Code.

4 (b) If a regulatory authority does not conduct a required  
5 development inspection by the 15th day after the date prescribed by  
6 a provision of this code for conducting the inspection, the  
7 inspection may be conducted by a person:

8 (1) other than:

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

11 (B) a person whose work is the subject of the  
12 inspection; and

13 (2) who is:

14 (A) certified [~~to inspect buildings~~] by the  
15 International Code Council;

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

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

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

23 (c) A political subdivision is not liable for a review or  
24 inspection performed by a third party under this chapter.

25 SECTION 2. Section 247.002(a), Local Government Code, as  
26 amended by this Act, and Section 247.002(c), Local Government Code,  
27 as added by this Act, are intended to clarify rather than change

1 existing law.

2       SECTION 3. This Act takes effect on the 91st day after the  
3 last day of the legislative session.