

Amend CSHB 23 (house committee printing) as follows:

(1) On page 1, line 18, between "law" and the underlined comma, insert "and except as provided by Section 247.0021".

(2) On page 2, strike lines 11-12 and substitute the following:

(C) an engineer:

(i) licensed under Chapter 1001, Occupations Code; and

(ii) competent in a branch of engineering applicable to the development document and designated by the engineer as an area of competency to the Texas Board of Professional Engineers.

(3) On page 2, line 13, between "law" and the underlined comma, insert "and except as provided by Section 247.0021".

(4) On page 3, strike lines 5-6 and substitute the following:

(D) an engineer:

(i) licensed under Chapter 1001, Occupations Code; and

(ii) competent in a branch of engineering applicable to development inspection and designated by the engineer as an area of competency to the Texas Board of Professional Engineers.

(5) On page 3, line 7, between "law" and the underlined comma, insert "and except as provided by Subsection (d)".

(6) On page 3, between lines 11 and 12, insert the following:

(d) A regulatory authority may rescind a development document granted as the result of a review or development inspection conducted by a person under Section 247.002 if the review or inspection did not comply with this chapter or violated a law, rule, standard, or other measure applicable to the regulatory authority for the review or inspection. After the rescission, the regulatory authority may prohibit a person from conducting another review or inspection for the regulatory authority in accordance with Section 247.007.

(7) On page 3, lines 14-15, strike "by amending Subsection

(a) and adding Subsection (c)".

(8) On page 3, line 16, immediately before "(a)", insert the following:

Sec. 247.004. THIRD-PARTY REQUIREMENTS.

(9) On page 3, between lines 23 and 24, insert the following:

(b) A regulatory authority may:

(1) prescribe a reasonable format for the notice required under Subsection (a); and

(2) require a person who reviews a development document or conducts a development inspection to provide to the regulatory authority a copy of any development document or inspection-related note or report the person creates as part of the review or inspection.

(10) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Chapter 247, Local Government Code, as added by Chapter 654 (HB 14), Acts of the 88th Legislature, Regular Session, 2023, is amended by adding Section 247.0015 to read as follows:

Sec. 247.0015. CONSTRUCTION OF CHAPTER. This chapter may not be construed to exempt an applicant or property owner from compliance with:

(1) the requirements of Chapters 7 and 16, Water Code, or health and safety requirements under state and federal law; or

(2) the requirements of the stormwater permitting program under the national pollutant discharge elimination system established by 33 U.S.C. Section 1342.

SECTION _____. Chapter 247, Local Government Code, as added by Chapter 654 (HB 14), Acts of the 88th Legislature, Regular Session, 2023, is amended by adding Section 247.0021 to read as follows:

Sec. 247.0021. CERTIFICATE OF OCCUPANCY INSPECTION BY REGULATORY AUTHORITY. As the final approval required for a land development or improvement, a regulatory authority may require and conduct a development inspection as a condition to receive a certificate of occupancy issued by the regulatory authority. If the

regulatory authority requires an inspection under this section, the regulatory authority:

(1) shall conduct the inspection, make a final determination on whether to issue a certificate of occupancy, issue the certificate if approved, and notify the applicant of the results of the determination not later than the 10th day after the date the applicant requests the inspection; and

(2) except as provided by Section 247.002(d), may not use the inspection to affect the validity of the review of a development document or development inspection previously conducted by a third party for the property that is the subject of the inspection.

SECTION _____. Chapter 247, Local Government Code, as added by Chapter 654 (HB 14), Acts of the 88th Legislature, Regular Session, 2023, is amended by adding Section 247.007 to read as follows:

Sec. 247.007. REGULATORY AUTHORITY ENFORCEMENT. A regulatory authority may prohibit a person performing a development document review or conducting a development inspection under Section 247.002 for the regulatory authority if the person:

(1) has repeatedly violated this chapter or a relevant law, rule, standard, or measure applicable to the regulatory authority for a review or inspection for the regulatory authority not fewer than five times; or

(2) knowingly or intentionally makes a misrepresentation, as determined by the regulatory authority, related to a review of a development document or development inspection conducted under Section 247.002 for any regulatory authority.

(11) Renumber SECTIONS of the bill as appropriate.