

## **BILL ANALYSIS**

H.B. 993  
By: Toth  
Land & Resource Management  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Current law requires municipalities to decide whether to grant or deny a permit for erecting or improving a building or structure within 45 days of the permit application being submitted and to provide specified written notice if the decision cannot be reached by that deadline. Alternatively, the municipality may reach a written agreement with the applicant providing for a deadline for granting or denying the permit, and currently this option applies to any type of municipal building permit, whether commercial or residential. H.B. 993 seeks to limit the written agreement option to commercial building permits only and to make certain other changes relating to a municipality's compliance with the requirements for timely processing of municipal building permit applications.

### **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**

H.B. 993 amends the Local Government Code to revise provisions requiring a municipality, not later than the 45th day after the date an application for a municipal building permit is submitted, to grant or deny the permit or take certain alternative action, as follows:

- with respect to the alternative option for the municipality to provide written notice to the applicant stating the reasons why the municipality has been unable to grant or deny the permit application, clarifies that the municipality is required to provide notice stating the reasons why the municipality has been unable to do so in the required 45-day period; and
- restricts to commercial building permits only the alternative option for the municipality to reach a written agreement with the applicant that provides for a deadline for granting or denying the permit.

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.

H.B. 993 expands 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 by doing the following:

- removing the existing condition of the municipality failing to grant or deny a permit application in the time required for applications for which the previously described notice is provided or in the time required by an agreement with the applicant; and
- adding instead the condition of the municipality failing to comply with any of the 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.

H.B. 993 applies only to a municipal building permit application that is submitted on or after the bill's effective date. An application submitted before the bill's effective date is governed by the law in effect on the date the application was submitted, and the former law is continued in effect for that purpose.

#### **EFFECTIVE DATE**

September 1, 2025.