

BILL ANALYSIS

Senate Research Center
89R4199 SCL-F

S.B. 1450
By: Bettencourt
Local Government
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Beginning in 2019, there have been legislative efforts to expedite the review of development plans and the platting process by local governments to address housing affordability and allow Texans to get their projects underway and completed without undue delay and regulatory burdens.

Last session, the legislature passed H.B. 14, which established that an applicant—citizen, builder, developer or homeowner—could utilize third-party review to review and/or inspect the project at the appropriate phase of development or construction if local governments did not meet the statutory deadlines for review, permitting, or inspections.

S.B. 1450 makes a couple of small corrections that were inadvertently left out of the legislation authorizing third-party review last session, which are needed to make the process work as intended.

S.B. 1450 adds a reference that was inadvertently left out to "development permits." This is needed so that third-party review can be used for building inspections during the construction process. S.B. 1450 also adds language to clarify that "a political subdivision is not liable for a review or inspection performed by a third party under this chapter," under the original intent of H.B. 14.

As proposed, S.B. 1450 amends current law relating to third-party review of development documents and inspection of improvements required to be approved by a political subdivision.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

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

Sec. 247.002. THIRD-PARTY REVIEW OR INSPECTION REQUIRED. (a) Provides that, if 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 is authorized to be performed by certain persons.

(b) Authorizes a required development inspection, if a regulatory authority does not conduct the inspection by the 15th day after the date prescribed by a provision of this code for conducting the inspection, to be conducted by a person who meets certain requirements, including being certified by the International Code Council, rather than being certified to inspect buildings by the International Code Council.

(c) Provides that a political subdivision is not liable for a review or inspection performed by a third party under Chapter 247 (Regulation of Energy Sources and Engines).

SECTION 2. Provides that Section 247.002(a), Local Government Code, as amended by this Act, and Section 247.002(c), Local Government Code, as added by this Act, are intended to clarify rather than change existing law.

SECTION 3. Effective date: upon passage or September 1, 2025.