89R4893 CS-D

By:  Dean H.B. No. 2304

A BILL TO BE ENTITLED

AN ACT

relating to third-party review of property development documents and inspections of improvements related to those documents, including home backup power installations.

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

SECTION 1.  Chapter 247, Local Government Code, as added by Chapter 654 (H.B. 14), Acts of the 88th Legislature, Regular Session, 2023, is amended by adding Section 247.0025 to read as follows:

Sec. 247.0025.  THIRD-PARTY REVIEW OR INSPECTION FOR HOME BACKUP POWER INSTALLATIONS. (a) In this section, "home backup power installation" means an electric generating facility, including an energy storage facility and any associated infrastructure and equipment, intended to provide electrical power to a one- or two-family dwelling that is connected at 600 volts or less.

(b)  Notwithstanding Section 247.002:

(1)  a person authorized to review a development document under Section 247.002(a) may review a development document required by a regulatory authority to install a home backup power installation without having to submit the document to the authority for review; and

(2)  a person authorized to conduct a development inspection under Section 247.002(b) may conduct a development inspection required by a regulatory authority to install a home backup power installation without having to request the inspection from the authority.

(c)  A regulatory authority shall:

(1)  post on the authority's Internet website each law, rule, standard, and other document necessary for a person to review a development document or conduct a development inspection under this section; or

(2)  provide on request an electronic copy of the information described by Subdivision (1) not later than the second business day after the date the regulatory authority receives the request.

(d)  A person who reviews a development document or conducts a development inspection under this section may rely on the accuracy and completeness of the information provided by a regulatory authority under Subsection (c).

(e)  A regulatory authority shall issue each approval, permit, or certification applicable to a review of a development document or development inspection conducted under this section not later than the second business day after the date the authority receives the notice prescribed by Section 247.004(a) that approves the document or inspection.

(f)  A person may begin construction of a home backup power installation on submission of the notice prescribed by Section 247.004(a) that approves the development document or development inspection.

SECTION 2.  Section 247.003, 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. 247.003.  ADDITIONAL FEE PROHIBITED.  A regulatory authority may not impose a fee related to the review of a development document or the inspection of an improvement conducted under this chapter [~~Section 247.002~~].

SECTION 3.  Section 247.004, 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. 247.004.  THIRD-PARTY REQUIREMENTS. (a) A person who reviews a development document or conducts a development inspection under this chapter [~~Section 247.002~~] shall:

(1)  review the document, conduct the inspection, and take all other related actions in accordance with all applicable provisions of law; and

(2)  not later than the 15th day after the date the person completes the review or inspection, provide notice to the regulatory authority of the results of the review or inspection.

(b)  A regulatory authority may prescribe a reasonable format for the notice required under Subsection (a). If the regulatory authority has not prescribed a format, a person who reviews a development document or conducts a development inspection under this chapter may provide notice by e-mail to the e-mail address of the regulatory authority.

SECTION 4.  This Act takes effect September 1, 2025.