By:  Talarico H.B. No. 5148

A BILL TO BE ENTITLED

AN ACT

relating to regulation of stairway requirements in certain multifamily residential buildings by political subdivisions.

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

SECTION 1.  Chapter 211, Local Government Code, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. SINGLE STAIRWAY IN CERTAIN MULTIFAMILY RESIDENTIAL BUILDINGS

Section 211.051 DEFINITIONS.

In this subchapter:

(1)"Multifamily residential building" means a residential building with a Group R-2 occupancy, as defined by the International Building Code.

 Section 211.052. APPLICABILITY. This subchapter applies only to a municipality that employs a professional fire department.

Sec 211.053. CERTAIN STAIRWAY REQUIREMENTS PROHIBITED. (a) Notwithstanding any other law, a municipality may not adopt or enforce an ordinance, rule, or other regulation requiring a multifamily residential building to have more than one stairway if the building:

(1)  has no more than 6 stories above grade plane and does not qualify as a high-rise, as defined in the International Building Code, as adopted under Section 214.216, Local Government Code;

(2)  has no more than four dwelling units on any floor;

(3)  regardless of the stairway construction type, has automatic sprinkler locations in interior exit stairways that comply with the requirements of NFPA 13 for combustible stairways;

(4)  has an exterior stairway or interior exit stairway is provided and doors in the stairway swing into the interior exit stairway regardless of the occupant load served, provided that doors from the interior exit stairway to the building exterior are permitted to swing in the direction of exit travel;

(5)  has openings to the interior exit stairway enclosure are limited to those required for exit access into the enclosure from normally occupied spaces, those required for egress from the enclosure, and openings to the exterior. Elevators shall not open into the interior exit stairway enclosure;

(5)  has interior exit stairway enclosures have a fire-resistance rating of not less than 2 hours;

(6)  has a minimum 1 hour fire-resistance rated corridor separates each dwelling unit entry/exit door from the door to an interior exit stairway, including any related exit passageway, on each floor;

(7)  has dwelling unit doors that do not open directly into an interior exit stairway;

(7)  has no more than 20 feet (6096 mm) of travel distance exist between the exit stairway from the entry/exit door of any dwelling unit;

(8)  has exit access travel that does not exceed 125 feet (38100 mm);

(9)  has an exit serving the Group R occupancy that does not discharge through any other occupancy, including an accessory parking garage;

(10)  has an exit that does not terminate in an egress court where the court depth exceeds the court width unless it is possible to exit in either direction to the public way;

(11)  has no openings within 10 feet (3048 mm) of unprotected openings into the stairway other than required exit doors having a 1-hour fire-resistance rating;

(12)  has emergency escape and rescue openings compliant with International Building Code Section 1031 on all floors served by the single exit;

(13)  has no electrical receptacles in an interior exit stairway;

(14)  has met all other applicable provisions of the adopted local building codes, and;

 (15)  has an automatic smoke and fire detection system that activates the occupant notification system in accordance with IBC Section 907.5 installed in the building in:

(A)  common spaces outside of dwelling units;

(B)  laundry rooms, mechanical equipment rooms, and storage rooms;

(C)  all interior corridors serving dwelling units; and

(D)  all main floor landings or interior and exterior exit stairways.

(b)  Nothing in this subchapter prohibits a municipality from adopting an ordinance, rule, or other regulation authorizing multifamily residential buildings with a single stairway if the building does not comply with the requirements of Subsection (a).

Sec. 211.055.  NO EFFECT ON PROPERTY OWNERS' ASSOCIATIONS AND OTHER PRIVATE AGREEMENTS. This subchapter does not prohibit property owners from enforcing rules or deed restrictions imposed by a property owners' association.

Sec. 211.056.  AUTHORIZED REGULATION. Except as provided by this chapter, a municipality's height limitations, front setback limitations, site plan review, and other zoning requirements that are generally applicable to multifamily construction for the area in which a multifamily residential building is built apply to the multifamily residential building.

Section 2. This act takes effect September 1, 2025.