

By: Anchía

H.B. No. 4016

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting the use of electric resistance as a primary heat source in certain residential buildings.

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

SECTION 1. Chapter 388, Health and Safety Code, is amended by adding Section 388.0045 to read as follows:

Sec. 388.0045. USE OF ELECTRIC RESISTANCE AS PRIMARY HEATING SOURCE PROHIBITED IN CERTAIN RESIDENTIAL BUILDINGS. (a) This section applies only to residential buildings with a dwelling area greater than 500 square feet.

(b) Notwithstanding any requirement contained in an energy code adopted under Section 388.003(a) or (b), or a local amendment adopted under Section 388.003(d), and except as provided by Subsection (c), the primary heat source for a dwelling unit may not be electric resistance heating.

(c) This section does not apply to a dwelling unit that is cooled using chilled water.

SECTION 2. (a) Section 388.0045, Health and Safety Code, as added by this Act, applies only to residential building construction, remodeling, alteration, enlargement, or repair that begins under an agreement made on or after January 1, 2026, or that begins, in the absence of an agreement, on or after that date. Residential building construction, remodeling, alteration, enlargement, or repair that begins under an agreement made before

1 January 1, 2026, or that begins, in the absence of an agreement,  
2 before that date is governed by the law in effect when the agreement  
3 was made or the activity began, as appropriate, and that law is  
4 continued in effect for that purpose.

5 (b) Not later than December 1, 2025, municipalities shall  
6 establish rules and take other necessary actions to implement  
7 Section 388.0045, Health and Safety Code, as added by this Act.

8 SECTION 3. This Act takes effect September 1, 2025.