

BILL ANALYSIS

Senate Research Center
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S.B. 1458
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AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, the International Building Code (IBC) is the standard in the United States for the building industry. Although the code is in effect across a majority of Texas, it is adopted in different forms.

As proposed, S.B. 1458 adopts the IBC as the commercial building code for use in Texas. The adoption of a uniform code will provide consistency across municipalities and in unincorporated areas of Texas counties. This, in turn, will streamline commercial building leasing, construction, and renovation.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to municipalities and counties in SECTION 4 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 214.211, Local Government Code, by adding Subdivisions (4) and (5), to define "International Building Code," and "commercial."

SECTION 2. Amends Subchapter G, Chapter 214, Local Government Code, by adding Section 214.216, as follows:

Sec. 214.216. INTERNATIONAL BUILDING CODE. Sets forth that to protect the public health, safety, and welfare, the International Building Code, as it existed on May 1, 2003, is adopted as a municipal commercial building code in this state.

(b) Provides that the International Building Code applies to all commercial buildings in a municipality for which construction begins on or after January 1, 2006, and to any alteration, remodeling, enlargement, or repair of those commercial buildings.

(c) Authorizes a municipality to establish certain procedures relating to the International Building Code.

(d) Prohibits a local amendment adopted under Subsection (c) from resulting in less stringent building requirements than the requirements prescribed by the International Building Code, as it existed on May 1, 2003.

(e) Authorizes a municipality to review and consider amendments made by the International Code Council to the International Building Code after May 1, 2003. Provides that Subsection (d) does not apply to an amendment adopted by a municipality under this subsection.

SECTION 3. Amends Chapter 233, Local Government Code, by adding Subchapter E, as follows:

SUBCHAPTER E. COMMERCIAL BUILDING CODE

Sec. 233.121. DEFINITIONS. Defines "commercial," "International Building Code," and "residential."

Sec. 233.122. INTERNATIONAL BUILDING CODE. Sets forth that to protect the public health, safety, and welfare, the International Building Code, as it existed on May 1, 2003, is adopted as a commercial building code in the unincorporated counties in this state.

(b) Provides that the International Building Code applies to all commercial buildings in the unincorporated area of a county for which construction begins on or after January 1, 2006, and to any alteration, remodeling, enlargement, or repair of those commercial buildings.

(c) Authorizes the commissioners court of a county to establish certain procedures relating to the International Building Code.

(d) Prohibits a local amendment adopted under Subsection (c) from resulting in less stringent building requirements than the requirements prescribed by the International Building Code, as it existed on May 1, 2003.

(e) Authorizes a commissioners court to review and consider amendments made by the International Code Council to the International Building Code after May 1, 2003. Provides that Subsection (d) does not apply to an amendment adopted by a county under this subsection.

SECTION 4. Requires, before January 1, 2006, rules to be established and other actions taken as necessary by municipalities to implement Section 214.216, Local Government Code as added by this Act; and by counties to implement Subchapter E, Chapter 233, Local Government Code, as added by this Act.

SECTION 5. (a) Effective date: January 1, 2006, except as provided by Subsection (b) of this section.

(b) Provides that this section and SECTION 4 of this Act take effect September 1, 2005.