

BILL ANALYSIS

Senate Research Center
82R9340 TJB-F

H.B. 2266
By: Smith, Wayne (Patrick)
Intergovernmental Relations
4/29/2011
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 2266 amends current law relating to fire code certificates of compliance.

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 233.064, Local Government Code, by amending Subsections (f) and (g) and adding Subsections (h) and (i), as follows:

(f) Authorizes the county, for a building or complex of buildings involving phased completion or build-out, a county to issue a partial certificate of compliance for any portion of the building or complex the inspector determines is in substantial compliance with the fire code.

(g) Authorizes a county, if the inspector determines, after an inspection of the completed building, that the building does not comply with the fire code, to deny the certificate of compliance; or issue a conditional or partial certificate of compliance and allow the building to be occupied, rather than requiring the county, if the inspector determines, after an inspection of the complete building, that the building does not comply with the fire code, to deny the certificate of compliance, and prohibiting the building from being occupied.

(h) Requires a county that issues a conditional certificate of compliance under Subsection (g) to notify the owner of the building of the violations of the fire code and establish a reasonable time to remedy the violations. Authorizes a county to revoke a conditional certificate of compliance if the owner does not remedy the violations within the time specified on the conditional certificate of compliance.

(i) Prohibits a building from being occupied until a county issues a final, conditional, or partial certificate of compliance for the building.

SECTION 2. Authorizes a county to issue a partial or conditional certificate of compliance under Section 233.064(f) or (g), Local Government Code, as amended by this Act, on or after the effective date of this Act to any building or complex of buildings that qualifies for the partial or conditional certificate of compliance, regardless of whether the building project started before, on, or after the effective date of this Act.

SECTION 3. Effective date: September 1, 2011.