

## **BILL ANALYSIS**

Senate Research Center  
86R9849 SMT-F

S.B. 2318  
By: Campbell  
Intergovernmental Relations  
4/18/2019  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently there is no time limit placed on counties regarding the processing of building permits. The time between applying for and the approval of a permit can range from several weeks to several months, and in some instances the county building inspection never takes place at all, even though a fee was paid. The extreme delay in a county building inspection, as well as paying for a building inspection permit and no inspection taking place, puts an undue burden on small businesses that engage in the retail sale of seasonal goods.

S.B. 2318 would limit a county from requiring a building permit to construct, improve, or occupy a structure used for the retail sale of seasonal goods if the structure has a temporary use, is portable, and smaller than 500 square feet.

As proposed, S.B. 2318 amends current law relating to the authority of a county to require a person to obtain a building permit from the county for certain portable structures.

### **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 Subchapter Z, Chapter 233, Local Government Code, by adding Section 233.902, as follows:

Sec. 233.902. PORTABLE STRUCTURE FOR SALE OF SEASONAL GOODS. Prohibits a county, notwithstanding any other law, from requiring a building permit to construct, improve, or occupy a structure used for the retail sale of seasonal goods if the structure is portable and smaller than 500 square feet.

SECTION 2. Effective date: upon passage or September 1, 2019.