

## **BILL ANALYSIS**

Senate Research Center  
87R21758 SMT-D

C.S.S.B. 1169  
By: Campbell  
Local Government  
4/26/2021  
Committee Report (Substituted)

### **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 delay in a county building inspection, as well as the 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. 1169 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 is smaller than 500 square feet.

(Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 1169 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 PERIODIC SALE OF RETAIL GOODS. (a) Prohibits a county, notwithstanding any other law and except as provided by Subsection (b), from requiring a building permit to construct, improve, or occupy a structure used for not more than 60 days in a calendar year for the retail sale of goods if the structure is portable and smaller than 500 square feet.

(b) Provides that Section 233.902 does not prevent a county from enforcing a fire code adopted by the county or inspecting a structure for a fire or life safety hazard as authorized by other law.

SECTION 2. Effective date: upon passage or September 1, 2021.