

BILL ANALYSIS

C.S.H.B. 852
By: Holland
Urban Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been suggested that municipalities frequently base the amount charged for a home building permit or inspection fee on the cost or estimated value of the home as opposed to the municipality's cost to perform these inspections. C.S.H.B. 852 seeks to address this issue by limiting the information a municipality may consider in determining the amount of a residential dwelling building permit or inspection fee.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 852 amends the Local Government Code to prohibit a municipality from considering the value of a residential dwelling or the cost of constructing or improving the dwelling in determining the amount of a building permit or inspection fee required in connection with the dwelling's construction or improvement. The bill prohibits a municipality from requiring the disclosure of information related to the value of or cost of constructing or improving a residential dwelling as a condition of obtaining a building permit except as required by FEMA for participation in the national flood insurance program.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 852 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute excepts a disclosure of information required by FEMA for participation in the national flood insurance program from the prohibition against a municipality requiring certain disclosures as a condition of obtaining a building permit.