

SUBJECT: Amending application procedures for municipal building permits

COMMITTEE: Land & Resource Management — committee substitute recommended

VOTE: 6 ayes — Burns, Rogers, C. Bell, K. Bell, Buckley, Schofield
3 nays — Ortega, Reynolds, Sherman

WITNESSES: For — Phil Crone, Dallas Builders Association (*Registered, but did not testify*: Donnie Evans, Frank Murphy, Dallas Builders Association; Don Allen, Greater Fort Worth Builders Association; Brett Martin, Greater Houston Builders Association; T. Justin MacDonald, Hill Country Builders Association; Sarah Douglas, National Federation of Independent Business; Ben Stratmann, Texans for Reasonable Solutions; Sandy Hoy, Texas Apartment Association; Scott Norman, Texas Association of Builders)

Against — Andrew Espinoza, City of Dallas; Vernon Young, City of Dallas (*Registered, but did not testify*: Brie Franco, City of Austin; Clifford Sparks, City of Dallas; Guadalupe Cuellar, City of El Paso; Andrew Fortune, City of Plano; Wendy Herman, The City of Corpus Christi)

On — Sally Bakko, City of Galveston

BACKGROUND: Local Government Code sec. 214.904 requires a municipality to grant or deny a building permit within 45 days of an application or reach a written agreement with an applicant providing for a deadline. If the municipality has not ruled on the building permit within the established timeline, the municipality is required to provide written notice to the applicant stating why the municipality has been unable to grant or deny the application.

Some have suggested that that the duration of time allowed for the issuance of municipal building permits is too long.

DIGEST: CSHB 3826 would amend local government code to allow municipalities

to reach a written agreement regarding an extended deadline for commercial building permits only.

Under the bill, a municipality could not deny a permit solely because the municipality is unable to comply with statute or require that an applicant waive the requirements regarding a permit application.

The bill would take effect September 1, 2023, and would only apply to a municipal building permit application that was submitted on or after the effective date.