

SUBJECT: Enforcing deadlines for processing certain building permit applications

COMMITTEE: Land & Resource Management — favorable, without amendment

VOTE: 6 ayes — Burns, Rogers, C. Bell, K. Bell, Buckley, Schofield

3 nays — Ortega, Reynolds, Sherman

SENATE VOTE: On final passage (May 17) — 24-7

WITNESSES: None (*considered in a formal meeting on May 18th*)

BACKGROUND: Local Government Code sec. 214.904 requires a municipality, no later than 45 days after an application for a building permit is submitted to:

- grant or deny the permit;
- provide written notice to the applicant stating why the municipality had been unable to grant or deny the application; or
- reach a written agreement with the applicant providing for a deadline for granting or denying the permit.

To ensure that municipalities address building permit applications in a timely manner, some have suggested preventing a municipality from using a written agreement to delay the review process.

DIGEST: SB 560 would amend the 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 was 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.