

AN ACT

relating to the time for processing a municipal building permit.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter Z, Chapter 214, Local Government Code, is amended by adding Section 214.904 to read as follows:

Sec. 214.904. TIME FOR ISSUANCE OF MUNICIPAL BUILDING PERMIT. (a) This section applies only to a permit required by a municipality to erect or improve a building or other structure in the municipality or its extraterritorial jurisdiction.

(b) Not later than the 45th day after the date an application for a permit is submitted, the municipality must:

(1) grant or deny the permit;

(2) provide written notice to the applicant stating the reasons why the municipality has been unable to grant or deny the permit application; or

(3) reach a written agreement with the applicant providing for a deadline for granting or denying the permit.

(c) For a permit application for which notice is provided under Subsection (b)(2), the municipality must grant or deny the permit not later than the 30th day after the date the notice is received.

(d) If a municipality fails to grant or deny a permit application in the time required by Subsection (c) or by an agreement under Subsection (b)(3), the municipality:

1 (1) may not collect any permit fees associated with
2 the application; and

3 (2) shall refund to the applicant any permit fees
4 associated with the application that have been collected.

5 SECTION 2. The subchapter heading to Subchapter Z, Chapter
6 214, Local Government Code, is amended to read as follows:

7 SUBCHAPTER Z. MISCELLANEOUS POWERS AND DUTIES

8 SECTION 3. Section 214.904, Local Government Code, as added
9 by this Act, applies only to an application for a permit submitted
10 on or after September 1, 2005. An application for a permit
11 submitted before that date is governed by the law in effect when the
12 application was submitted, and the former law is continued in
13 effect for that purpose.

14 SECTION 4. This Act takes effect September 1, 2005.

David Burtus

President of the Senate

Jim Castle

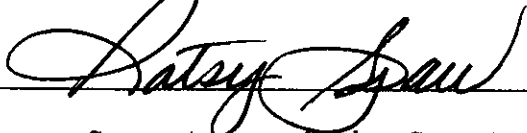
Speaker of the House

I certify that H.B. No. 265 was passed by the House on March 23, 2005, by a non-record vote; that the House refused to concur in Senate amendments to H.B. No. 265 on May 26, 2005, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 265 on May 29, 2005, by a non-record vote.

Robert Honey

Chief Clerk of the House

I certify that H.B. No. 265 was passed by the Senate, with amendments, on May 24, 2005, by the following vote: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 265 on May 29, 2005, by the following vote: Yeas 31, Nays 0.

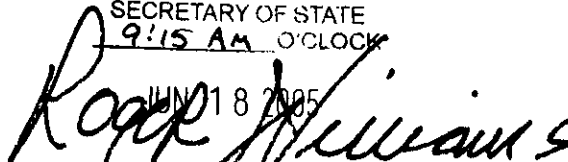

Secretary of the Senate

APPROVED: 18 JUNE '05

Date


Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
9:15 AM O'CLOCK


Secretary of State