

- SUBJECT:** Prohibiting use of nongraded rebar in residential construction.
- COMMITTEE:** State Affairs — favorable, without amendment
- VOTE:** 8 ayes — Swinford, Paxton, Van Arsdale, Christian, Farrar, Flynn, Parker, Veasey
- 0 nays
- 1 absent — B. Cook
- WITNESSES:** For — Irma Bowler, Blueridge Subdivision; Luis Cintron, Villa de Fortuna, K.B. Home; and 14 individuals; (*Registered, but did not testify:* Mike Crump; Henrietta De Hoyos; James A. Winslow)
- Against — None
- On — Paul Cauduro, Home Builders Assn. of Greater Dallas; Mark Eberwine; W.T. Little, Greater San Antonio Builders Assn.; Duane A. Waddill, Texas Residential Construction Commission; (*Registered, but did not testify:* J.C. Calcote, Texas Panhandle Builders Assn.)
- BACKGROUND:** Property Code, sec. 430.001 requires the Texas Residential Construction Commission (TRCC) to provide limited statutory warranties, as well as building performance standards for home construction. Warranty periods are:
- one year for workmanship and materials;
 - two years for plumbing, electrical, heating, or air-conditioning systems; and
 - 10 years for major structural components of the home.
- The warranties and building and performance standards must:
- require substantial compliance with nonelectrical standards of the International Residential Code for one-family and two-family dwellings and electrical standards of the National Electrical Code;
 - include recommended management practices for limiting moisture intrusion in a home; and

- establish performance standards for interior and exterior components of a home, including foundations, floors, ceilings, walls, roofs, drainage, landscaping, irrigations, heating, cooling, and electrical and plumbing components.

The International Residential Code (IRC) requires that construction documents include the specified strength and grade of reinforcement for building materials. In construction, concrete is poured in proportion to the average compressive strength necessary to meet the load-carrying capacity of a concrete structure. The IRC permits nongraded rebar to be used to reinforce concrete structures requiring a relatively lower compressive strength, such as sidewalks and drive ways. Graded rebar is to be used in home construction because a home carries more weight and consequently requires more support.

DIGEST:

CSHB 1531 would require the Texas Residential Construction Commission to prohibit the use of nongraded rebar in all residential construction in the state when adopting home building and performance standards established in Property Code, sec. 430.001.

On or before November 1, 2007, TRCC would adopt appropriate rules to apply to residential construction commenced on or before January 1, 2008.

The bill would take effect September 1, 2007.

**SUPPORTERS
SAY:**

HB 1531 would help reduce the number of foundation problems found in home construction. Prohibiting the use of nongraded rebar in all residential construction would provide protection to all homeowners across the state. Rebar, unlike lumber, is not stamped with the specified grade but tagged. If the tags are removed, there is no way of identifying the grade of the materials. This can be a problem if concrete is poured before a local inspector is able to verify whether the proper grade of rebar is being used. Also, appropriate uses of rebar in home construction are applicable only to municipalities, leaving unincorporated areas unprotected. HB 1531 is necessary to ensure homes are built with the proper supports.

**OPPONENTS
SAY:**

The bill should conform its provisions to established state building codes. By requiring that graded rebar be used in all residential construction, the bill would contradict prescribed IRC standards for sidewalks and

driveways, concrete construction not necessitating graded rebar. The conflicting requirements could present challenges for builders.