

## **BILL ANALYSIS**

Senate Research Center  
81R21605 JAM-D

C.S.S.B. 1606  
By: Eltife  
Education  
4/3/2009  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Acts of the 80th Legislature, Regular Session, 2007, gave the Texas Education Agency authority to inspect relocatable educational facilities (portable classrooms). The Texas Department of Licensing and Regulation (TDLR) currently has regulatory authority over industrialized buildings, including relocatable educational facilities.

C.S.S.B. 1606 repeals Section 46.008(b), Education Code. This bill also changes regulations regarding industrialized buildings to make the Occupations Code consistent with mandatory building codes adopted under the statutes.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 1202.002(c), Occupations Code, to provide that industrialized housing does not include a residential structure that exceeds three stories or 49 feet in height, rather than 49 feet in height as measured from the finished grade elevation at the building entrance to the peak of the roof.

SECTION 2. Amends Section 1202.003(d), Occupations Code, to make a conforming change.

SECTION 3. Amends Subchapter A, Chapter 1202, Occupations Code, by adding Section 1202.004, as follows:

Sec. 1202.004. RELOCATABLE EDUCATIONAL FACILITIES. (a) Defines "relocatable educational facility."

(b) Requires that a relocatable educational facility that is purchased or leased on or after January 1, 2010, comply with all provisions applicable to industrialized buildings under this chapter.

SECTION 4. Amends Section 1202.1535(b), Occupations Code, as follows:

(b) Requires the owner of an industrialized building designed to be transported from one commercial site to another that bears an approved decal or insignia indicating the building complies with the mandatory building codes and that is modified or altered after the date the Texas Industrialized Building Code Council (council) adopts a new mandatory building code or approves a building code amendment to ensure that the modified or altered building complies with the requirements and standards of the new building code or amendment to the extent required by the most recent edition of the International Existing Building Code adopted by the council. Deletes text of existing Subdivisions (1) and (2) requiring the owner of an industrialized building to ensure the entire building complies with the mandatory building code or building code amendment if the cost of the modification or alteration to the building is at least 50 percent of the value of the modules or modular components used in the construction of the building, or the modified or altered portion of the building complies with the mandatory building

code or building code amendment if the cost of the modification or alteration is less than 50 percent of the value of the modules or modular components.

SECTION 5. Repealer: Section 46.008(b) (relating to required inspection of relocatable modular buildings), Education Code.

SECTION 6. (a) Effective date, except as provided by Subsection (b) of this section: September 1, 2009.

(b) Effective date, Section 5: December 31, 2009.