

1-1 By: Menéndez S.B. No. 2453
 1-2 (In the Senate - Filed March 10, 2023; March 23, 2023, read
 1-3 first time and referred to Committee on Business & Commerce;
 1-4 April 26, 2023, reported favorably by the following vote: Yeas 7,
 1-5 Nays 4; April 26, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9		X		
1-10		X		
1-11	X			
1-12		X		
1-13	X			
1-14		X		
1-15	X			
1-16	X			
1-17	X			
1-18	X			

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to certain regulations adopted by governmental entities
 1-22 for the building products, materials, or methods used in the
 1-23 construction of residential or commercial buildings.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 3000.002(c), Government Code, is amended
 1-26 to read as follows:

1-27 (c) This section does not apply to:

1-28 (1) a program established by a state agency that
 1-29 requires particular standards, incentives, or financing
 1-30 arrangements in order to comply with requirements of a state or
 1-31 federal funding source or housing program;

1-32 (2) a requirement for a building necessary to consider
 1-33 the building eligible for windstorm and hail insurance coverage
 1-34 under Chapter 2210, Insurance Code;

1-35 (3) an ordinance or other regulation that regulates
 1-36 outdoor lighting that is adopted for the purpose of reducing light
 1-37 pollution and that:

1-38 (A) is adopted by a governmental entity that is
 1-39 certified as a Dark Sky Community by the International Dark-Sky
 1-40 Association as part of the International Dark Sky Places Program;

1-41 (B) is adopted by a governmental entity that has
 1-42 adopted a resolution stating the entity's intent to become
 1-43 certified as a Dark Sky Community by the International Dark-Sky
 1-44 Association as part of the International Dark Sky Places Program
 1-45 and does not regulate outdoor lighting in a manner that is more
 1-46 restrictive than the prohibitions or limitations required to become
 1-47 certified as a Dark Sky Community; or

1-48 (C) applies to outdoor lighting within five miles
 1-49 of the boundary of a military base in which an active training
 1-50 program is conducted;

1-51 (4) an ordinance or order that:

1-52 (A) regulates outdoor lighting; and

1-53 (B) is adopted under Subchapter B, Chapter 229,
 1-54 Local Government Code, or Subchapter B, Chapter 240, Local
 1-55 Government Code;

1-56 (5) a building located in a place or area designated
 1-57 for its historical, cultural, or architectural importance and
 1-58 significance that a municipality may regulate under Section
 1-59 211.003(b), Local Government Code, if the municipality:

1-60 (A) is a certified local government under the
 1-61 National Historic Preservation Act (54 U.S.C. Section 300101 et

2-1 seq.); or
 2-2 (B) has an applicable landmark ordinance that
 2-3 meets the requirements under the certified local government program
 2-4 as determined by the Texas Historical Commission;
 2-5 (6) a building located in a place or area designated
 2-6 for its historical, cultural, or architectural importance and
 2-7 significance by a governmental entity, if designated before April
 2-8 1, 2019;
 2-9 (7) a building located in an area designated as a
 2-10 historic district on the National Register of Historic Places;
 2-11 (8) a building designated as a Recorded Texas Historic
 2-12 Landmark;
 2-13 (9) a building designated as a State Archeological
 2-14 Landmark or State Antiquities Landmark;
 2-15 (10) a building listed on the National Register of
 2-16 Historic Places or designated as a landmark by a governmental
 2-17 entity;
 2-18 (11) a building located in a World Heritage Buffer
 2-19 Zone;
 2-20 (12) a building located in an area designated for
 2-21 development, restoration, or preservation in a main street city
 2-22 under the main street program established under Section 442.014;
 2-23 (13) a standard for a plumbing product required by an
 2-24 ordinance or other regulation implementing a water conservation
 2-25 plan or program described by Section 11.1271 or 13.146, Water Code;
 2-26 [~~and~~]
 2-27 (14) a standard for a plumbing product imposed by the
 2-28 Texas Water Development Board as a condition of applying for or
 2-29 receiving financial assistance under a program administered by the
 2-30 board;
 2-31 (15) an energy code as adopted by the State Energy
 2-32 Conservation Office under Section 388.003(a) or (b), Health and
 2-33 Safety Code;
 2-34 (16) an energy and water conservation design standard
 2-35 established by the State Energy Conservation Office under Section
 2-36 447.004; and
 2-37 (17) a high-performance building standard approved by
 2-38 a board of regents under Section 55.115, Education Code.
 2-39 SECTION 2. This Act takes effect September 1, 2023.

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