

1-1 By: Menéndez S.B. No. 783  
1-2 (In the Senate - Filed January 15, 2025; February 7, 2025,  
1-3 read first time and referred to Committee on Business & Commerce;  
1-4 April 2, 2025, reported favorably by the following vote: Yeas 11,  
1-5 Nays 0; April 2, 2025, sent to printer.)

1-6 COMMITTEE VOTE

| 1-7  | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 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 construction or alteration of residential or commercial  
1-23 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

seq.); or

(B) has an applicable landmark ordinance that meets the requirements under the certified local government program as determined by the Texas Historical Commission;

(6) a building located in a place or area designated for its historical, cultural, or architectural importance and significance by a governmental entity, if designated before April 1, 2019;

(7) a building located in an area designated as a historic district on the National Register of Historic Places;

(8) a building designated as a Recorded Texas Historic Landmark;

(9) a building designated as a State Archeological Landmark or State Antiquities Landmark;

(10) a building listed on the National Register of Historic Places or designated as a landmark by a governmental entity;

(11) a building located in a World Heritage Buffer Zone;

(12) a building located in an area designated for development, restoration, or preservation in a main street city under the main street program established under Section 442.014;

(13) a standard for a plumbing product required by an ordinance or other regulation implementing a water conservation plan or program described by Section 11.1271 or 13.146, Water Code; ~~and~~

(14) a standard for a plumbing product imposed by the Texas Water Development Board as a condition of applying for or receiving financial assistance under a program administered by the board;

(15) an energy code as adopted by the State Energy Conservation Office under Section 388.003(a) or (b), Health and Safety Code;

(16) an energy and water conservation design standard established by the State Energy Conservation Office under Section 447.004; and

(17) a high-performance building standard approved by a board of regents under Section 55.115, Education Code.

SECTION 2. Section 388.003, Health and Safety Code, is amended by amending Subsections (a), (b), and (b-2) and adding Subsections (a-1) and (a-2) to read as follows:

(a) To achieve energy conservation in single-family residential construction, the energy efficiency chapter of the International Residential Code, as it existed on May 1, 2001, is adopted as the energy code in this state for single-family residential construction. On September 1, 2016, the energy efficiency chapter of the International Residential Code, as it existed on May 1, 2015, is adopted as the energy code in this state for single-family residential construction. On or after September 1, 2021, the State Energy Conservation Office may adopt and substitute for that energy code the latest published edition of the energy efficiency chapter of the International Residential Code, based on written findings on the stringency of the chapter submitted by the laboratory under Subsection (b-3). The office:

(1) may not amend or adopt an edition under this subsection more often than once every six years; ~~and~~

(2) by rule shall establish an effective date for an adopted edition that is not earlier than nine months after the date of adoption; and

(3) may amend an adopted edition.

(a-1) Before amending or adopting an edition of the energy efficiency chapter of the International Residential Code under Subsection (a), the State Energy Conservation Office shall conduct an analysis that:

(1) measures the impact of the amendment or adoption on housing attainability in this state; and

(2) quantifies the incremental construction cost and energy use cost savings associated with construction to evaluate the cost-effectiveness of the proposed amendment or adoption.

(a-2) The analysis under Subsection (a-1)(2) must calculate the payback period for any required products or minimum standards or requirements that are more stringent than the energy code in effect on the date immediately before the date the amendment or adoption would take effect.

(b) To achieve energy conservation in all other residential, commercial, and industrial construction, the International Energy Conservation Code as it existed on May 1, 2001, is adopted as the energy code for use in this state for all other residential, commercial, and industrial construction. The State Energy Conservation Office may adopt and substitute for that energy code the latest published edition of the International Energy Conservation Code, based on written findings on the stringency of the edition submitted by the laboratory under Subsection (b-3). The office:

(1) by rule shall establish an effective date for an adopted edition that is not earlier than nine months after the date of adoption; and

(2) may amend an adopted edition.

(b-2) The State Energy Conservation Office by rule shall establish a procedure for persons who have an interest in the amendment or adoption of energy codes under Subsection (a) or (b) to have an opportunity to comment on the codes under consideration. The office shall consider persons who have an interest in adoption of those codes to include:

(1) commercial and residential builders, architects, and engineers;

(2) municipal, county, and other local government authorities;

(3) environmental groups; and

(4) manufacturers of building materials and products.

SECTION 3. This Act takes effect September 1, 2025.

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