



April 23, 2025

The Honorable Gary Gates
Chair, House Committee on Land & Resource Management
P.O. Box 2910
Austin, TX 78768

RE: Houston Permitting Center (HPC) Position on S.B. 840

Dear Chairman and Members of the Committee,

On behalf of the Houston Permitting Center, I appreciate the opportunity to provide insight on S.B. 840 and its potential impact on building safety and code enforcement in the City of Houston and throughout Texas.

Specifically, I'm writing to highlight concerns regarding the impact of S.B. 840 on the ability of jurisdictions to properly review, inspect, and subsequently permit the construction of mixed-use and multifamily residential projects identified in the bill.

S.B. 840 establishes new regulations for municipal zoning and development of mixed-use and multifamily residential projects in Texas. Among other things, the bill would specifically prohibit municipalities and counties from charging fees associated with the submission, review, or approval of building permit applications for mixed-use or multifamily residential conversion projects and would require the administrative approval of any associated permits.

Fees associated with building permits cover costs associated with a local jurisdiction's review and inspection of building permit applications for code compliance. By removing the ability to charge relevant permit fees, S.B. 840 will severely limit the ability of local jurisdictions to enforce their adopted building codes to ensure these structures are code compliant and safe for occupants. If cities cannot recover the costs associated with the review and administrative time for building permit applications from the applicant (e.g., the one generating the work), then the cost will ultimately shift onto the taxpayers.

Building permits, specifically, serve as the mechanism by which local governments ensure construction and renovation work is completed in accordance with federal, state, and local codes and ordinances. Building code provisions address structural stability, fire safety, adequate means of egress (exits), sanitation, safe wiring, and more.

For existing buildings, such as those identified by the bill, the enforcement of building codes by local governments is a crucial aspect in the adaptive reuse of buildings – Ensuring existing structures remain safe as they serve their new purpose.

Code officials play a major role in ensuring that all commercial, residential, public assembly and other buildings within its jurisdiction are constructed in accordance with the provisions of the governing building code, and it is the official's responsibility to protect the public health, safety, and welfare in relationship to the built environment through effective building code enforcement.

Considering the potential impact on building safety, code enforcement, and municipal oversight, I would humbly urge you to consider a more balanced approach that preserves local governments' ability to review and permit these mixed-use and multifamily residential projects while still ensuring a streamlined

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approach to facilitate more residential type developments, the cost of which is not borne by the taxpayers.

The City of Houston respectfully encourages the committee to consider amendments that would allow municipalities to continue charging the necessary fees associated with maintaining reasonable oversight related to mixed-use and multifamily residential projects to ensure structures are safe for their intended occupants.

Sincerely,



Rudy Moreno, Jr.
Deputy Director
Houston Permitting Center
RM:hw