

ASBESTOS REGULATION

Senate Bill 509

An Act which became effective on January 1, 2002, relating to an asbestos survey before issuance of a building permit to renovate or demolish certain buildings.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The Texas Asbestos Health Protection Act (Article 4477-3a, Vernon's Texas Civil Statutes) is amended by adding Section 13 to read as follows:

Sec. 13. SURVEY REQUIRED. (a) In this section, "permit" means a license, certificate, approval, registration, consent, permit, or other form of authorization that a person is required by law, rule, regulation, order, or ordinance to obtain to perform an action, or to initiate, continue, or complete a project, for which the authorization is sought.

(b) a municipality that requires a person to obtain

a permit before renovating or demolishing a public or commercial building may not issue the permit unless the applicant provides:

(1) evidence acceptable to the municipality that an asbestos survey, as required by this Act, of all parts of the building affected by the planned renovation or demolition has been completed by a person licensed under this Act to perform a survey; or

(2) a certification from a licensed engineer or architect, stating that:

a. the engineer or architect has reviewed the material safety data sheets for the materials used in the original construction, the subsequent renovations or alterations of all parts of the building affected by the planned renovation or demolition, and any asbestos surveys of the building previously conducted in accordance with this Act; and

b. in the engineer's or architect's professional opinion, all parts of the building affected by the planned renovation or demolition do not contain asbestos.

SECTION 2. This Act takes effect September 1, 2001.

SECTION 3. This Act applies only to a permit for renovation or demolition of a public or commercial building issued on or after January 1, 2002. A permit for renovation or demolition of a public or commercial building issued before January 1, 2002, is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

TEXAS ARCHITECTURAL BARRIERS

Senate Bill 484, which became effective on June 17, 2001, requires municipalities, prior to accepting an application for a construction permit for a non-residential project that will cost in excess of \$50,000, to verify that the building or facility has been registered with the Texas Department of Licensing and Regulation (TDLR) for compliance with Texas Accessibility Standards (877) 278-0999.