

Propuesta para enmendar el Capítulo 21.4 del 10 TAC, Actividades de nueva construcción y reconstrucción

Descargo de responsabilidad

Se adjunta la propuesta de enmiendas al Capítulo 21.4 del 10 TAC, Actividades de nueva construcción y reconstrucción. La versión adjunta es la versión que constituirá la versión oficial para propósitos de comentario público.

Comentario Público

Período de comentario público: **Inicio: 8:00 a.m. viernes 20 de septiembre de 2024**
Finaliza: 5:00 p.m. lunes, 21 de octubre de 2024

Comentarios recibidos después de las 5:00 p.m. el lunes 21 de octubre de 2024 no serán aceptados.

Se pueden enviar comentarios por escrito, en copia impresa/fax o en formato electrónico a:

Departamento de Vivienda y Asuntos Comunitarios de Texas
A la atención de: Erin Mikulenk
P.O. Box 13941
Austin, Texas 78711-3941
Correo electrónico: erin.mikulenk@tdhca.tx.gov

Los comentarios por escrito se pueden enviar en formato impreso o por correo electrónico dentro del período designado para comentarios públicos. Los que hagan comentarios públicos son animados a hacer referencia a la propuesta de regla, póliza o plan específico relacionado con su comentario, así como a una referencia o cita específica asociada con cada comentario.

Por favor tenga en cuenta que todos los comentarios enviados al Departamento de Vivienda y Asuntos Comunitarios de Texas se considerarán información pública.

DEPARTAMENTO DE VIVIENDA Y ASUNTOS COMUNITARIOS DE TEXAS

Dirección física: 221 East 11th Street, Austin, TX 78701
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Attachment A: Preamble and proposed amendment to 10 TAC §21.4, New Construction and Reconstruction Activities

The Texas Department of Housing and Community Affairs (the Department) proposes an amendment to 10 TAC §21.4, New Construction and Reconstruction Activities. The purpose of the proposed amendment is to comply with new guidelines mandated by HUD that require the use of the 2021 International Energy Conservation Code (IECC) in new construction of single family homes constructed under certain federally funded Programs, such as HOME.

The Department has analyzed this proposed rulemaking and the analysis is described below for each category of analysis performed.

FISCAL NOTE. Mr. Bobby Wilkinson, Executive Director, has determined that, for each year of the first five years the amendment to the rule is in effect, enforcing or administering the amendment does not have any foreseeable implications related to costs or revenues of the state or local governments.

a. GOVERNMENT GROWTH IMPACT STATEMENT REQUIRED BY TEX. GOV'T CODE §2001.0221.

GOVERNMENT GROWTH IMPACT STATEMENT. Mr. Wilkinson also has determined that, for the first five years the amendment would be in effect:

1. The proposed amendment to the rule will not create or eliminate a government program;
2. The proposed amendment to the rule will not require a change in the number of employees of the Department;
3. The proposed amendment to the rule will not require additional future legislative appropriations;
4. The proposed amendment to the rule will result in neither an increase nor a decrease in fees paid to the Department;
5. The proposed amendment to the rule does update a regulation with additional requirements to ensure federal program compliance;
6. The proposed amendment to the rule will not repeal an existing regulation;
7. The proposed amendment to the rule will not increase or decrease the number of individuals subject to the rule's applicability; and
8. The proposed amendment to the rule will neither positively nor negatively affect this state's economy.

PUBLIC BENEFIT/COST NOTE. Mr. Wilkinson also has determined that, for each year of the first five years the amendment to the rule is in effect, the public benefit anticipated as a result of the action will be conformance with updated federal requirements. There will not be any economic cost to any individual required to comply with the amendment as additional funds required to ensure conformance may be paid with grant funds.

ADVERSE IMPACT ON SMALL OR MICRO-BUSINESSES OR RURAL COMMUNITIES. The Department has determined that there will be no economic effect on small or micro-businesses or rural communities.

REQUEST FOR PUBLIC COMMENT. All comments or questions in response to this action may be submitted in writing from September 20, 2024 through October 21, 2024. Written comments may be submitted to the Texas Department of Housing and Community Affairs, Erin Mikulenska, Single Family and Homeless Programs, P.O. Box 13941, Austin, Texas 78711-3941, or email HOME@tdhca.texas.gov. ALL COMMENTS MUST BE RECEIVED BY 5:00 pm Austin local time, October 21, 2024.

STATUTORY AUTHORITY. The proposed amendment is made pursuant to Tex. Gov't Code §2306.053, which authorizes the Department to adopt rules. Except as described herein the proposed amendment affects no other code, article, or statute.

10 TAC §21.4, New Construction and Reconstruction Activities

§21.4 New Construction and Reconstruction Activities

(a) Single family residential dwellings, as defined in §388.002 of the Texas Health and Safety Code, that are newly constructed or reconstructed shall comply with §388 of the Health and Safety Code (Texas Building Energy Performance Standards).

(b) Effective September 1, 2016, the Texas State Energy Conservation Office adopted the 2015 International Residential Code (Chapter 11) as the state-mandated energy code for all residential construction, which includes one- and two-family residences of three stories or less above grade.

(c) For federally-funded single family residential dwellings for which funds are committed on or after November 28, 2024, and that are covered under FR-6271-N-03 (inclusive of the HOME program, but excluding CDBG) housing must comply with the 2021 International Energy Conservation Code (IECC); or must comply with a federally approved alternative compliance pathway.