



Third- Party Home Backup Power Installation Plan Review and Inspections

Senate Bills 1202 and 1252 (89-R) were enacted by the Texas Legislature and will take effect on September 1, 2025. The Highland Park Building Inspection Department is actively updating its internal processes to comply with these new requirements.

- Senate Bill 1202: Allows third-party professionals to approve and inspect home backup power installations (defined by section 247.0025 State of Texas Local Government Code), like generators and battery storage, up to 600 volts. This bill applies to one- or two-family homes. Permits must be issued within three business days upon notice from the third party of associated approval.
- Senate Bill 1252: Prevents municipalities from regulating the installation or inspection of a residential energy backup system that provides up to 50 kilowatts of electricity or has a storage capacity of up to 100 kilowatt-hours.

In accordance with the Texas Senate Bill 1202 which goes into effect on September 1st, 2025, the following persons are permitted to perform third-party plan review and / or inspections for Alternative Energy Systems as described in said bills:

- A Master Electrician as described by Section 1305.153, Occupations Code, who is licensed under Subchapter D, Chapter 1305 of that code.
- An Electrical Inspector as defined by Section 1305.002, Occupations Code.
- An Engineer licensed under Chapter 1001, Occupations Code.

Third Party Review Process-

1. Apply for residential permit and select appropriate checkbox for permit type for Electrical. An **electrical permit will still be required for the Town to review and inspect all other components such as: installation, replacement of service, panelboards, feeders, and branch circuits (except those associated directly with the items listed below in red) to provide utility releases.**
2. If using a third-party consultant, please identify it at the time of permit application. Third-party consultant is hired by the applicant and has no association directly with the Town of Highland Park. Upload a Letter of Responsibility from the third-party consultant for the electrical scope only (see items in red below). Letter to include address, scope of work, details regarding design and installation inspection.

Third Party scope can cover:

- Generators and associated transfer switches (NEC 702)
 - Energy Storage Systems (ESS) and associated equipment (NEC 706)
3. Send letter and the full set of construction drawings to the Chief Building Official at cnieto@hptx.org. Once received, the letter and drawings will be uploaded to the Opengov application for processing (allow up to three business days). Letter must be received prior to application.
 4. Construction Documents must identify the location of all existing and proposed new equipment, electrical and gas lines shall be included. All manufacturer specification cut sheets shall be included. Proposed location cannot be in any easement and must remain within the property.
 5. An issued permit by the Town of Highland Park is required before any electrical work is performed.
 6. All inspection reports and a final letter of compliance is required by the third-party consultant prior to the Town releasing and closing out the electrical permit.

For Residential Generator gas piping:

1. Apply for residential permit and select appropriate checkbox for permit type for Plumbing. **A Plumbing permit will still be required for the Town to review and inspect all gas piping for utility releases. A release will not be given unless the Town's Building Inspection dept. has released the gas.**

2. All plumbing drawings for a residential generator shall be submitted with the permit and installed by a licensed Master Plumber. Town of Highland Park will do the inspection for all gas piping and releases (not allowed by third-party consultant).
3. An issued permit by the Town of Highland Park is required before any plumbing work is performed.

AN ACT

relating to third-party review of property development documents and inspections of improvements related to those documents, including home backup power installations.

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

SECTION 1. Chapter 247, Local Government Code, as added by Chapter 654 (H.B. 14), Acts of the 88th Legislature, Regular Session, 2023, is amended by adding Section 247.0025 to read as follows:

Sec. 247.0025. THIRD-PARTY REVIEW OR INSPECTION FOR HOME BACKUP POWER INSTALLATIONS. (a) In this section, "home backup power installation" means an electric generating facility, an energy storage facility, a standby system, and any associated infrastructure and equipment intended to provide electrical power to a one- or two-family dwelling, regardless of whether the facility or system is capable of participating in a wholesale electric market, that is connected at 600 volts or less.

(b) This section does not limit the authority of:

(1) an electric utility to implement the utility's tariff; or

(2) an electric cooperative or a municipally owned utility to enforce interconnection and service policies.

(c) Notwithstanding Section 247.002:

(1) the following persons, other than a person described by Section 247.002(a)(1), may review a development document required by a regulatory authority to install a home backup power installation without having to submit the document to the authority for review:

(A) a person authorized to review a development document under Section 247.002(a);

(B) an electrical inspector as defined in Section 1305.002, Occupations Code; or

(C) a master electrician described by Section 1305.153, Occupations Code, who is licensed under Subchapter D, Chapter 1305 of that code; and

(2) the following persons, other than a person described by Section 247.002(b)(1), may conduct a development inspection required by a regulatory authority to install a home backup power installation without having to request the inspection from the authority:

(A) a person authorized to conduct a development inspection under Section 247.002(b);

(B) an electrical inspector as defined in Section 1305.002, Occupations Code; or

(C) a master electrician described by Section 1305.153, Occupations Code, who is licensed under Subchapter D, Chapter 1305 of that code.

(d) A regulatory authority shall:

(1) post on the authority's Internet website each law, rule, standard, fee schedule, and other document necessary for a person to review a development document or conduct a development inspection under this section; or

(2) provide on request an electronic copy of the information described by Subdivision (1) not later than the second business day after the date the regulatory authority receives the request.

(e) A person who reviews a development document or conducts a development inspection under this section may:

(1) use software designed to automate the required review without that person performing additional manual review; and

(2) rely on the accuracy and completeness of the information provided by a regulatory authority under Subsection (d).

(f) If a regulatory authority has not posted on the authority's Internet website or provided upon request information as required under Subsection (d), a person reviewing a development document or conducting a development inspection of a home backup power installation under this section may use:

(1) the applicable building code standards under Section 214.212 for a dwelling located in a municipality; or

(2) the applicable building code standards under Section 233.153 for a dwelling located in the unincorporated area of a county.

(g) A regulatory authority that has not posted or provided a fee schedule as required by Subsection (d) may not charge a fee for issuance of an approval, permit, or certification for a home backup power installation under this section.

(h) A person who reviews a development document or conducts a development inspection shall provide to the regulatory authority a copy of any development document or inspection-related note or report the person creates as part of the review or inspection not later than the date the person provides notice to the regulatory authority under Section 247.004(a)(2).

(i) A regulatory authority shall issue each approval, permit, or certification applicable to a review of a development document or development inspection conducted under this section not later than the third business day after the date the authority receives the notice prescribed by Section 247.004(a) that approves the document or inspection.

(j) A person may begin construction of a home backup power installation on submission of the notice prescribed by Section 247.004(a) that approves the development document.

(k) A regulatory authority is not liable for a review or inspection conducted by a person under this section.

(l) A person reviewing a development document or conducting a development inspection under this section is liable for damages resulting from the person's negligent acts or omissions in conducting the review or inspection.

SECTION 2. Section 247.003, Local Government Code, as added by Chapter 654 (H.B. 14), Acts of the 88th Legislature, Regular Session, 2023, is amended to read as follows:

Sec. 247.003. ADDITIONAL FEE PROHIBITED. A regulatory authority may not impose a fee related to the review of a development document or the inspection of an improvement conducted under this chapter [~~Section 247.002~~].

SECTION 3. Section 247.004, Local Government Code, as added by Chapter 654 (H.B. 14), Acts of the 88th Legislature, Regular Session, 2023, is amended to read as follows:

Sec. 247.004. THIRD-PARTY REQUIREMENTS. (a) A person who reviews a development document or conducts a development inspection under this chapter [~~Section 247.002~~] shall:

(1) review the document, conduct the inspection, and take all other related actions in accordance with all applicable provisions of law; and

(2) not later than the 15th day after the date the person completes the review or inspection, provide notice to the regulatory authority of the results of the review or inspection.

(b) A regulatory authority may prescribe a reasonable format for the notice required under Subsection (a). If the regulatory authority has not prescribed a format, a person who reviews a development document or conducts a development inspection under this chapter may provide notice by e-mail to the e-mail address of the regulatory authority.

.(c) The format prescribed by a regulatory authority under Subsection (b) may not limit a person who reviews a development document or conducts a development inspection under this chapter from using software designed to automate the review or approval process without that person performing additional manual review.

SECTION 4. This Act takes effect September 1, 2025.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1202 passed the Senate on March 31, 2025, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendments on May 26, 2025, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1202 passed the House, with amendments, on May 23, 2025, by the following vote: Yeas 128, Nays 7, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor

AN ACT

relating to the authority of a municipality to regulate the installation or inspection of a residential energy backup system.

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

SECTION 1. Section 214.211, Local Government Code, is amended by adding Subdivision (6) to read as follows:

(6) "Residential energy backup system" means a backup energy system installed at a residential property that is capable of providing no more than 50 kilowatts of electricity to the residence or has a storage capacity of no more than 100 kilowatt hours.

SECTION 2. Section 214.214, Local Government Code, is amended by adding Subsections (d) and (e) to read as follows:

(d) A municipality may not adopt or enforce an amendment to the National Electrical Code that would regulate the installation or inspection of a residential energy backup system.

(e) Subsection (d) does not limit the authority of a municipally owned utility, as defined by Section 11.003, Utilities Code, to regulate the installation or inspection of a residential energy backup system within the utility's service area.

SECTION 3. The heading to Subchapter C, Chapter 229, Local Government Code, is amended to read as follows:

SUBCHAPTER C. REGULATION OF SOLAR ENERGY AND BACKUP ENERGY DEVICES

SECTION 4. Subchapter C, Chapter 229, Local Government Code, is amended by adding Section 229.102 to read as follows:

Sec. 229.102. REGULATION OF RESIDENTIAL ENERGY BACKUP SYSTEMS. (a) In this section, "residential energy backup system" means a backup energy system installed at a residential property that is capable of providing no more than 50 kilowatts of electricity to the residence or has a storage capacity of no more than 100 kilowatt hours.

(b) A municipality may not adopt or enforce an ordinance, rule, or other measure that would regulate the installation or inspection of a residential energy backup system.

(c) This section does not limit the authority of a municipally owned utility, as defined by Section 11.003, Utilities Code, to regulate the installation or inspection of a residential energy backup system within the utility's service area.

SECTION 5. The changes in law made by this Act apply only to the installation or inspection of a residential energy backup system initiated on or after the effective date of this Act.

SECTION 6. This Act takes effect September 1, 2025.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1252 passed the Senate on March 21, 2025, by the following vote: Yeas 29, Nays 2.

Secretary of the Senate

I hereby certify that S.B. No. 1252 passed the House on

May 21, 2025, by the following vote: Yeas 137, Nays 6, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor