



COUNCIL AGENDA ITEM MEMORANDUM

DEPT./DIVISION SUBMISSION & REVIEW:

Brian Chandler, Director of Planning and Development
John McGowan, Chief Building Official

ITEM DESCRIPTION: SECOND & FINAL READING: Consider adopting an Ordinance approving the 2023 National Electrical Code (NEC) in accordance with state-mandated regulations.

BACKGROUND: Under Chapter 214 of the Texas Local Government Code, which governs the municipal regulation of housing, buildings, and other structures, local governments in Texas are granted the authority to adopt and enforce building codes to promote public health, safety, and general welfare. This includes regulations related to construction, maintenance, and safety standards for structures within their jurisdiction.

One critical component of these codes is the electrical code, which sets the standards for the installation and maintenance of electrical systems. The Texas Department of Licensing and Regulation (TDLR) is the state agency charged with the responsibility of adopting the most current version of the National Electrical Code (NEC) for use throughout Texas. The NEC, published by the National Fire Protection Association (NFPA), is a widely adopted standard for the safe installation of electrical wiring and equipment in the United States. TDLR is also responsible for the licensing and practice of electricians in the State of Texas and requires all licensed electricians to comply with the most current version of the NEC when conducting their work.

As of its most recent update, TDLR has formally adopted the 2023 edition of the NEC. This adoption provides the framework for municipalities across Texas to incorporate the 2023 NEC into their local ordinances, ensuring that electrical work within their communities complies with the latest safety and efficiency standards. While municipalities are not automatically required to adopt the newest version, Chapter 214 empowers them to do so at the local level, enabling uniformity and up-to-date practices across jurisdictions.

Section 1305.101 requires the Texas Department of Licensing and Regulation to adopt a revised version of the National Electrical Code every three years as the electrical code for Texas. As of August

12th, 2022, the 2023 National Electrical Code has been adopted by Rule 73.100 of Title 16 of the Texas Administrative Code.

ALIGNMENT WITH ADOPTED PLANS:

Plan	Comments
Strategic Plan	This item supports the Strategic Plan goal of “An organization committed to performance excellence,” and the Strategic Plan commitment to “Create efficient, integrated, and streamlined regulations, policies, and processes.”

STAFF RECOMMENDATION: Because the Texas Department of Licensing and Regulation (TDLR) has adopted the most recent version of the National Electrical Code (NEC)—the 2023 edition—licensed electrical contractors in Texas are required to perform all electrical installations in accordance with the standards outlined in that code. Compliance with the adopted NEC is not optional; it is a legal requirement for all licensed professionals operating within the state.

As a result, local building and electrical inspectors are also obligated to enforce and inspect installations based on the 2023 NEC. Their role is to ensure that all electrical work complies with the current code to maintain safety, reliability, and consistency across residential, commercial, and industrial projects. This alignment between what contractors must follow and what inspectors must enforce is essential for upholding code compliance, minimizing hazards, and supporting statewide uniformity in electrical safety standards. This process also includes coordination with nearby municipalities close to the jurisdiction to promote regional consistency and to enhance code compliance. Staff recommends adoption of this item.

BOARDS & COMMISSIONS RECOMMENDATION: This item was not reviewed by any of the official boards and commissions.

FISCAL IMPACT: Not applicable

ATTACHMENTS:

Ordinance

Texas State Occupation Code, Chapter 1305: Electricians