

By: Martinez

H.B. No. 2888

Substitute the following for H.B. No. 2888:

By: Kent

C.S.H.B. No. 2888

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to recipients of financial assistance administered by the  
3 Texas Department of Housing and Community Affairs.

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

5 SECTION 1. Section 2306.111, Government Code, is amended by  
6 adding Subsection (k) to read as follows:

7 (k) The department by rule shall:

8 (1) adopt policies to ensure that each housing  
9 development that receives financial assistance administered by the  
10 department, including financial assistance from the proceeds of  
11 bonds issued by the department:

12 (A) reserves a certain number of units in the  
13 development for individuals and families of very low income, to the  
14 extent that the reservation does not conflict with any requirements  
15 for the development under 26 U.S.C. Section 42; and

16 (B) except as otherwise permitted by law, accepts  
17 as tenants individuals and families receiving rental assistance  
18 under Section 8, United States Housing Act of 1937 (42 U.S.C.  
19 Section 1437f), or some other form of rental assistance from a  
20 political subdivision of this state or from the state or federal  
21 government; and

22 (2) establish enforcement mechanisms with respect to  
23 those housing developments that refuse to admit individuals and  
24 families as described by Subdivision (1)(B).

1 SECTION 2. Section 301.021, Property Code, is amended by  
2 adding Subsection (b-1) to read as follows:

3 (b-1) A person may not discriminate against another person  
4 in the terms, conditions, or privileges of the rental of a dwelling  
5 or in providing services or facilities in connection with the  
6 rental of a dwelling because the other person receives a rent  
7 subsidy or other public assistance from a political subdivision of  
8 this state or from the state or federal government.

9 SECTION 3. (a) The change in law made by this Act in adding  
10 Section 2306.111(k), Government Code, applies only to an  
11 application for financial assistance that is submitted by a housing  
12 development to the Texas Department of Housing and Community  
13 Affairs on or after January 1, 2010. An application for financial  
14 assistance that is submitted by a housing development to the  
15 department before January 1, 2010, is governed by the law in effect  
16 when the application was submitted, and the former law is continued  
17 in effect for that purpose.

18 (b) Not later than December 1, 2009, the Texas Department of  
19 Housing and Community Affairs shall adopt the rules required by  
20 Section 2306.111(k), Government Code, as added by this Act.

21 SECTION 4. This Act takes effect September 1, 2009.