

By: González of El Paso

H.B. No. 2792

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to housing authorities established by municipalities and  
3 counties.

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

5 SECTION 1. Sections 392.005(c) and (d), Local Government  
6 Code, are amended to read as follows:

7 (c) An exemption under this section for a multifamily  
8 residential development which is owned by [~~(i)~~] a public facility  
9 corporation created by a housing authority under Chapter 303, owned  
10 by [~~(ii)~~] a housing development corporation, or owned by [~~(iii)~~] a  
11 similar entity created by a housing authority and which does not  
12 have at least 20 percent of its units reserved for public housing  
13 units, rent-restricted units subsidized by a housing authority, or  
14 a combination of public housing and rent-restricted units, applies  
15 only if:

16 (1) the authority holds a public hearing, at a regular  
17 meeting of the authority's governing body, to approve the  
18 development; and

19 (2) at least 50 percent of the units in the multifamily  
20 residential development are reserved for occupancy by individuals  
21 and families earning less than 80 percent of the area median family  
22 income.

23 (d) For the purposes of Subsection (c), a "public housing  
24 unit":

1           (1) is a dwelling unit for which the owner:  
2           (A) receives a public housing operating subsidy;  
3 or  
4           (B) received a public housing operating subsidy,  
5 if the dwelling unit was subsequently converted through the Rental  
6 Assistance Demonstration program administered by the United States  
7 Department of Housing and Urban Development as specified by the  
8 Consolidated and Further Continuing Appropriations Act of 2012  
9 (Pub. L. No. 112-55) and its subsequent amendments; and

10           (2) [~~.—It~~] does not include a unit for which payments  
11 are made to the landlord under the federal Section 8 Housing Choice  
12 Voucher Program unless the unit was converted under the Rental  
13 Assistance Demonstration program.

14           SECTION 2. Section 392.0331(b), Local Government Code, is  
15 amended to read as follows:

16           (b) Except as provided by Subsection (b-1), in appointing  
17 commissioners under Section 392.031, a municipality with a  
18 municipal housing authority composed of five commissioners shall  
19 appoint at least one commissioner to the authority who is a tenant  
20 of a public housing project over which the authority has  
21 jurisdiction or who is a recipient of housing assistance  
22 administered through the authority's housing choice voucher  
23 program. Except as provided by Subsection (b-2), in appointing  
24 commissioners under Section 392.031, a municipality with a  
25 municipal housing authority composed of seven or more commissioners  
26 shall appoint at least two commissioners to the authority who are  
27 tenants of a public housing project over which the authority has

1 jurisdiction or who are recipients of housing assistance  
2 administered through the authority's housing choice voucher  
3 program.

4 SECTION 3. This Act takes effect September 1, 2017.