

By: González of El Paso

H.B. No. 2792

Substitute the following for H.B. No. 2792:

By: Alvarado

C.S.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.