

By: González of El Paso

H.B. No. 2792

A BILL TO BE ENTITLED

AN ACT

relating to omnibus legislation affecting public housing converted under the authority of the RAD program administered by HUD.

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

SECTION 1. Amend Sec. 2306.6711, Local Government Code, by inserting a new subsection (i) to read as: (i) For an at risk development as defined by Sec. 2306.6702(a)(5), Local Government Code, a concerted plan of revitalization shall include without limitation an approved demolition, disposition, or Rental Assistance Demonstration (RAD) conversion of public housing by the U.S. Department of Housing & Urban Development.

SECTION 2. Amend Sec. 392.005, Local Government Code, to read as follows: Sec. 392.005. TAX EXEMPTION. (a) The property of an authority is public property used for essential public and governmental purposes. The authority and the authority's property are exempt from all taxes and special assessments of a municipality, a county, another political subdivision, or the state.

(b) If a municipality, county, or political subdivision furnishes improvements, services, or facilities for a housing project, an authority may, in lieu of paying taxes or special assessments, agree to reimburse in payments to the municipality, county, or political subdivision an amount not greater than the estimated cost to the municipality, county, or political

1 subdivision for the improvements, services, or facilities.

2 (c) An exemption under this section for a multifamily
3 residential development which is owned by (i) a public facility
4 corporation created by a housing authority under Chapter 303, (ii)
5 a housing development corporation, or (iii) a similar entity
6 created by a housing authority and which does not have at least 20
7 percent of its units either (i) reserved for public housing units or
8 (ii) rent restricted units subsidized by a public housing authority
9 applies only if:

10 (1) the authority holds a public hearing, at a regular
11 meeting of the authority's governing body, to approve the
12 development; and

13 (2) at least 50 percent of the units in the multifamily
14 residential development are reserved for occupancy by individuals
15 and families earning less than 80 percent of the area median family
16 income.

17 (d) For the purposes of Subsection (c), a "public housing
18 unit" is a dwelling unit for which the owner receives a public
19 housing operating subsidy or a dwelling unit for which the owner
20 received public housing operating subsidy but has been approved for
21 conversion through the Rental Assistance Demonstration Program. It
22 does not include a unit or units for which payments are made to the
23 landlord under the federal Section 8 Housing Choice Voucher
24 Program, unless the unit or units were converted through the Rental
25 Assistance Demonstration (RAD) program.

26 SECTION 3. Sec. 392.0031, Local Government Code, is amended
27 to read as follows: Sec. [392.0331](#). APPOINTMENT OF TENANT

1 REPRESENTATIVE AS COMMISSIONER OF MUNICIPAL, COUNTY, OR REGIONAL
2 HOUSING AUTHORITY. (a) This section applies only to:

3 (1) a municipality; or

4 (2) a county that has a county housing authority or is
5 a member of regional housing authority and the total number of units
6 in the authority is more than 750.

7 (b) Except as provided by Subsection (b-1), in appointing
8 commissioners under Section 392.031, a municipality with a
9 municipal housing authority composed of five commissioners shall
10 appoint at least one commissioner to the authority who is a tenant
11 of a public housing project over which the authority has
12 jurisdiction, or is a recipient of housing assistance administered
13 through the authority's housing choice voucher program who are
14 residing in a unit owned by the housing authority that was converted
15 through the Rental Assistance Demonstration (RAD) program. In
16 appointing commissioners under Section 392.031, a municipality
17 with a municipal housing authority composed of seven or more
18 commissioners shall appoint at least two commissioners to the
19 authority who are tenants of a public housing project over which the
20 authority has jurisdiction, or are recipients of housing assistance
21 administered through the authority's housing choice voucher
22 program who are residing in a unit owned by the housing authority
23 that was converted through the Rental Assistance Demonstration
24 (RAD) program.

25 (b-1) The presiding officer of the governing body of a
26 municipality that has a municipal housing authority in which the
27 total number of units is 150 or fewer is not required to appoint a

1 tenant to the position of commissioner as otherwise required by
2 Subsection (b) if the presiding officer has provided timely notice
3 of a vacancy in the position to all eligible tenants and is unable
4 to fill the position with an eligible tenant before the 60th day
5 after the date the position becomes vacant.

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