

1-1 By: Lucio S.B. No. 1118
 1-2 (In the Senate - Filed February 26, 2019; March 7, 2019,
 1-3 read first time and referred to Committee on Intergovernmental
 1-4 Relations; April 25, 2019, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 6, Nays 1;
 1-6 April 25, 2019, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8	X			
1-9				
1-10		X		
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 1118 By: Lucio

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to programs operated by the Texas Department of Housing
 1-20 and Community Affairs to increase access to safe and affordable
 1-21 housing in this state.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Chapter 2306, Government Code, is amended by
 1-24 adding Subchapter EE to read as follows:

1-25 SUBCHAPTER EE. AMY YOUNG BARRIER REMOVAL PROGRAM

1-26 Sec. 2306.6801. DEFINITIONS. In this subchapter:

1-27 (1) "Person with a disability" means a person with one
 1-28 or more documented physical or mental impairments, or who is
 1-29 regarded as having one or more physical or mental impairments, that
 1-30 substantially limit the person's ability to perform major life
 1-31 activities.

1-32 (2) "Program" means the Amy Young Barrier Removal
 1-33 Program established under this subchapter.

1-34 (3) "Program administrator" means an entity certified
 1-35 by the department to administer services under the program,
 1-36 including:

1-37 (A) a local governmental entity;

1-38 (B) a council of governments;

1-39 (C) a nonprofit organization;

1-40 (D) a local mental health authority; and

1-41 (E) a public housing authority.

1-42 Sec. 2306.6802. ESTABLISHMENT OF PROGRAM. (a) The
 1-43 department shall establish the Amy Young Barrier Removal Program to
 1-44 provide grants for modifying the home in which a person with a
 1-45 disability lives to:

1-46 (1) increase the accessibility of the home;

1-47 (2) eliminate life-threatening hazards in the home; or

1-48 (3) correct unsafe living conditions in the home.

1-49 (b) A grant awarded under the program may not exceed \$20,000
 1-50 or another amount adjusted by the department periodically to
 1-51 account for cost increases.

1-52 (c) The department may adopt rules as necessary to implement
 1-53 this subchapter.

1-54 Sec. 2306.6803. ELIGIBILITY. (a) A grant recipient must:

1-55 (1) be a tenant, homeowner, or other member of a
 1-56 household in which a person with a disability lives; and

1-57 (2) meet the eligibility requirements of this section.

1-58 (b) To be eligible for a grant under the program, the income
 1-59 of the household for which a grant is sought may not exceed the
 1-60 greater of 80 percent of the area median family income or 80 percent

2-1 of the statewide income limits, adjusted for household size, as
2-2 determined annually by the United States Department of Housing and
2-3 Urban Development.

2-4 (c) The department may adopt other eligibility requirements
2-5 that are considered appropriate by the department.

2-6 Sec. 2306.6804. PROGRAM ADMINISTRATION. (a) The
2-7 department may certify a program administrator to:

2-8 (1) process applications for a grant;

2-9 (2) verify eligibility of a grant applicant;

2-10 (3) secure construction contractors to renovate or
2-11 rehabilitate a home under the program; and

2-12 (4) oversee the renovation or rehabilitation of a home
2-13 under the program.

2-14 (b) The department by rule shall adopt procedures for the
2-15 certification of a program administrator.

2-16 Sec. 2306.6805. FUNDING. (a) The department shall award
2-17 grants under the program using:

2-18 (1) gifts, grants, or donations solicited by the
2-19 department for purposes of this subchapter; and

2-20 (2) money in the barrier removal grant fund
2-21 established under Section 2306.6806.

2-22 (b) In a state fiscal year, the department may use not more
2-23 than 10 percent of the revenue available for purposes of this
2-24 subchapter to increase the ability of program administrators to
2-25 assist the department in implementing the purposes of this chapter
2-26 and to increase the number of entities that are able to implement
2-27 those purposes. The department shall use available revenue under
2-28 this subsection to provide financial assistance, technical
2-29 training, and management support for the purposes of this
2-30 subsection.

2-31 Sec. 2306.6806. BARRIER REMOVAL GRANT FUND. (a) The
2-32 department shall establish the barrier removal grant fund in the
2-33 department. Money in the fund may be used only for the purpose of
2-34 awarding grants under the program.

2-35 (b) Each year, the department shall transfer to the barrier
2-36 removal grant fund the money remaining in the housing trust fund
2-37 established under Section 2306.201 after transferring or
2-38 allocating from that fund money appropriated to the department by
2-39 the legislature for the purposes of this subchapter and money
2-40 specifically allocated under Sections 2306.202(a) and 2306.758(d).
2-41 The amount transferred to the barrier removal grant fund from the
2-42 housing trust fund under this subsection may not exceed \$3 million.

2-43 SECTION 2. Section 2306.753(b), Government Code, is amended
2-44 to read as follows:

2-45 (b) To be eligible for a loan under this subchapter, an
2-46 owner-builder:

2-47 (1) may not have an annual income that exceeds 80 [~~60~~]
2-48 percent, as determined by the department, of the greater of the
2-49 state or local median family income, when combined with the income
2-50 of any person who resides with the owner-builder;

2-51 (2) must have resided in this state for the preceding
2-52 six months;

2-53 (3) must have successfully completed an owner-builder
2-54 education class under Section 2306.756; and

2-55 (4) must agree to:

2-56 (A) provide through personal labor at least 65
2-57 percent of the labor necessary to build or rehabilitate the
2-58 proposed housing by working through a state-certified
2-59 owner-builder housing program;

2-60 (B) provide an amount of personal labor
2-61 equivalent to the amount required under Paragraph (A) in connection
2-62 with building or rehabilitating housing for others through a
2-63 state-certified owner-builder housing program;

2-64 (C) provide through the noncontract labor of
2-65 friends, family, or volunteers and through personal labor at least
2-66 65 percent of the labor necessary to build or rehabilitate the
2-67 proposed housing by working through a state-certified
2-68 owner-builder housing program; or

2-69 (D) if due to documented disability or other

3-1 limiting circumstances as defined by department rule the
3-2 owner-builder cannot provide the amount of personal labor otherwise
3-3 required by this subdivision, provide through the noncontract labor
3-4 of friends, family, or volunteers at least 65 percent of the labor
3-5 necessary to build or rehabilitate the proposed housing by working
3-6 through a state-certified owner-builder housing program.

3-7 SECTION 3. Section 2306.758(d), Government Code, is amended
3-8 to read as follows:

3-9 (d) All money received by the department as part of the
3-10 owner-builder loan program under this subchapter, including any
3-11 amount received by the department for payment of the principal of or
3-12 interest on a loan made under this subchapter, shall be deposited in
3-13 the housing trust fund established under Section 2306.201 to be
3-14 used to carry out the purposes of this subchapter. If the money to
3-15 be received by the department for a state fiscal year for payment of
3-16 the principal of or interest on a loan made under this subchapter is
3-17 less than \$4 [~~\$3~~] million for a state fiscal year, the department
3-18 shall use any available source of money in the housing trust fund to
3-19 ensure that not less than \$4 [~~\$3~~] million is used for the
3-20 owner-builder loan program each state fiscal year.

3-21 SECTION 4. The Texas Department of Housing and Community
3-22 Affairs is required to implement a provision of this Act only if the
3-23 legislature appropriates money specifically for that purpose. If
3-24 the legislature does not appropriate money specifically for that
3-25 purpose, the department may, but is not required to, implement a
3-26 provision of this Act using other appropriations that are available
3-27 for that purpose.

3-28 SECTION 5. As soon as practicable after the effective date
3-29 of this Act, the Texas Department of Housing and Community Affairs
3-30 shall adopt rules as necessary to implement Subchapter EE, Chapter
3-31 2306, Government Code, as added by this Act.

3-32 SECTION 6. This Act takes effect immediately if it receives
3-33 a vote of two-thirds of all the members elected to each house, as
3-34 provided by Section 39, Article III, Texas Constitution. If this
3-35 Act does not receive the vote necessary for immediate effect, this
3-36 Act takes effect September 1, 2019.

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