

1-1 By: Schwertner, Bettencourt, Buckingham S.B. No. 646  
 1-2 (In the Senate - Filed February 10, 2021; March 11, 2021,  
 1-3 read first time and referred to Committee on Local Government;  
 1-4 April 1, 2021, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 5, Nays 3; April 1, 2021,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10		X		
1-11		X		
1-12		X		
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17			X	

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 646 By: Nichols

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to county approval of certain proposed purchases or  
 1-22 conversions of properties to house homeless individuals.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Chapter 233, Local Government Code, is amended  
 1-25 by adding Subchapter G to read as follows:

1-26 SUBCHAPTER G. APPROVAL FOR PURCHASE OR USE CONVERSION OF PROPERTY  
 1-27 TO HOUSE HOMELESS INDIVIDUALS

1-28 Sec. 233.201. COUNTY APPROVAL. (a) A person, including a  
 1-29 political subdivision, may not purchase property to house homeless  
 1-30 individuals unless the commissioners court of the county in which  
 1-31 the property is located approves a plan described by Section  
 1-32 233.202(b).

1-33 (b) A person may not convert the use of a property owned by  
 1-34 the person to enable the property to house homeless individuals  
 1-35 unless the commissioners court of the county in which the property  
 1-36 is located approves a plan that meets the requirements of Section  
 1-37 233.202(b).

1-38 Sec. 233.202. PLAN REQUIREMENTS. (a) In this section,  
 1-39 "proposed new residents" means homeless individuals the applicant  
 1-40 intends to house at the purchased or converted property.

1-41 (b) A plan required by Section 233.201 must describe:

1-42 (1) the availability of local health care for proposed  
 1-43 new residents, including access to Medicaid services and mental  
 1-44 health services;

1-45 (2) the availability of indigent services for proposed  
 1-46 new residents;

1-47 (3) the availability of reasonably affordable public  
 1-48 transportation for proposed new residents;

1-49 (4) local law enforcement resources in the area of the  
 1-50 property; and

1-51 (5) the steps the applicant has taken to coordinate  
 1-52 with the local mental health authority to provide for any proposed  
 1-53 new residents.

1-54 (c) An applicant shall respond to reasonable requests for  
 1-55 additional information made by the commissioners court regarding  
 1-56 the proposed property purchase or use conversion.

1-57 Sec. 233.203. NOTICE. A person who intends to purchase or  
 1-58 convert property to house homeless individuals shall:

1-59 (1) post notice of the proposed use of the property at  
 1-60 the property not later than the 61st day before the proposed date of

2-1 purchase or conversion; and  
2-2 (2) publish notice of the proposed purchase or  
2-3 conversion of the property for 10 consecutive days in a newspaper of  
2-4 general circulation in the county in which the property is located,  
2-5 with the first day being not later than the 61st day before the  
2-6 proposed date of purchase or conversion.

2-7 Sec. 233.204. EXCEPTION. This subchapter does not apply to  
2-8 the purchase or use conversion of a property to provide temporary  
2-9 shelter or housing during a natural disaster, declared state of  
2-10 emergency, or other life-threatening public emergency.

2-11 SECTION 2. The changes in law made by this Act apply only to  
2-12 a purchase or use conversion described by Subchapter G, Chapter  
2-13 233, Local Government Code, as added by this Act, that is not final  
2-14 on the effective date of this Act. A purchase or use conversion  
2-15 that was final before the effective date of this Act is governed by  
2-16 the law in effect when the purchase or use conversion was completed,  
2-17 and the former law is continued in effect for that purpose.

2-18 SECTION 3. This Act takes effect immediately if it receives  
2-19 a vote of two-thirds of all the members elected to each house, as  
2-20 provided by Section 39, Article III, Texas Constitution. If this  
2-21 Act does not receive the vote necessary for immediate effect, this  
2-22 Act takes effect September 1, 2021.

2-23

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