

By: Lopez of Bexar, et al.

H.B. No. 5255

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the collection and publication of affordable housing
3 information by certain municipalities and the Texas Department of
4 Housing and Community Affairs.

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

6 SECTION 1. Section 371.001(a), Local Government Code, is
7 amended to read as follows:

8 (a) The governing body of a municipality with a population
9 of 900,000 or less may appropriate from its general fund an amount
10 not to exceed one percent of the general fund budget for that year
11 for the purpose of:

12 (1) advertising the municipality and promoting its
13 growth and development; and

14 (2) promoting awareness of affordable housing options
15 in the municipality, including by promoting the database described
16 by Section 373C.052.

17 SECTION 2. Section 371.021(a), Local Government Code, is
18 amended to read as follows:

19 (a) The governing body of a general-law municipality may
20 appropriate from its general fund an amount not to exceed five cents
21 per \$100 assessed valuation for the purpose of:

22 (1) advertising the municipality and promoting its
23 growth and development; and

24 (2) promoting awareness of affordable housing options

1 in the municipality, including by promoting the database described
2 by Section 373C.052.

3 SECTION 3. Subtitle A, Title 12, Local Government Code, is
4 amended by adding Chapter 373C to read as follows:

5 CHAPTER 373C. COLLECTION AND PUBLICATION OF INFORMATION ON

6 AFFORDABLE HOUSING AVAILABILITY

7 SUBCHAPTER A. GENERAL PROVISIONS

8 Sec. 373C.001. DEFINITIONS. In this chapter:

9 (1) "Affordable housing unit" means:

10 (A) an income-restricted or income-based housing
11 unit, including:

12 (i) a housing unit that may be obtained with
13 a voucher provided through the housing choice voucher program under
14 Section 8, United States Housing Act of 1937 (42 U.S.C. Section
15 1437f);

16 (ii) a public housing unit;

17 (iii) a permanent supportive housing unit
18 provided through a program operated by the Health and Human
19 Services Commission;

20 (iv) a unit that is part of a
21 service-enriched housing project described by Subchapter NN,
22 Chapter 2306, Government Code; and

23 (v) a unit provided through an affordable
24 housing initiative operated by a municipality; and

25 (B) a rental housing unit not described by
26 Paragraph (A) for which rent is not more than 30 percent of the
27 lowest household income quartile in a municipality.

1 (2) "Department" means the Texas Department of Housing
2 and Community Affairs.

3 Sec. 373C.002. APPLICABILITY. (a) This chapter applies to
4 a municipality qualified to receive federal grants under the
5 community development block grant entitlement program authorized
6 under Title 1 of the Housing and Community Development Act of 1974
7 (42 U.S.C. Section 5301 et seq.).

8 (b) A municipality not described by Subsection (a) may
9 participate in the collection and publication of affordable housing
10 information described by Subchapter B. A municipality that elects
11 to participate is subject to the requirements of this chapter.

12 SUBCHAPTER B. COLLECTION AND PUBLICATION OF INFORMATION

13 Sec. 373C.051. ANNUAL MUNICIPAL SURVEY. (a) A
14 municipality shall conduct an annual survey of all affordable
15 housing units located in the municipality. The survey must collect
16 the following information for each unit, as applicable:

- 17 (1) the unit type;
18 (2) the monthly rent;
19 (3) the estimated monthly cost of basic utilities not
20 included in the rent amount;
21 (4) any eligibility requirement, including any
22 average median income restriction;
23 (5) the length of any waiting list;
24 (6) each social service provided to a tenant,
25 including a supportive service;
26 (7) the distance to nearby essential services,
27 including:

1 (A) public transit stops;

2 (B) public elementary and secondary schools;

3 (C) community health centers;

4 (D) emergency medical facilities;

5 (E) public safety facilities, including fire
6 departments or police stations;

7 (F) community centers; and

8 (G) food retailers providing grocery items and
9 fresh produce;

10 (8) the distance to public community spaces, including
11 parks, sports facilities, and playgrounds; and

12 (9) a telephone number, mailing address, and e-mail
13 address for a prospective tenant to inquire about renting the unit.

14 (b) A municipality may collect and use the information
15 required to be collected by Subsection (a) from any available
16 source, including information collected for a survey conducted by
17 the municipality in a previous year, provided that the municipality
18 verifies the information is current and accurate.

19 (c) A municipality shall provide the information collected
20 under this section to any state agency that requests the
21 information.

22 Sec. 373C.052. DATABASE OF AFFORDABLE HOUSING INFORMATION.

23 (a) A municipality shall publish the information collected under
24 Section 373C.051 in a searchable database on a publicly accessible
25 Internet website and mobile application. The municipality must
26 ensure that the database enables a person to:

27 (1) search for an affordable housing unit using the

1 characteristics described by Section 373C.051(a);

2 (2) update the database in real time if the person is
3 authorized by the municipality to do so; and

4 (3) view the complete survey information collected
5 under that section.

6 (b) A municipality shall update the municipality's database
7 described by Subsection (a) at least annually.

8 Sec. 373C.053. TEXAS DEPARTMENT OF HOUSING AND COMMUNITY
9 AFFAIRS POWERS AND DUTIES. (a) The department shall adopt rules
10 necessary to implement and administer this subchapter, including
11 rules on the collection, compilation, analysis, and publication of
12 information on the availability and accessibility of affordable
13 housing in this state.

14 (b) The department shall publish reports on the
15 availability and accessibility of affordable housing in this state
16 using information collected by municipalities under this
17 subchapter and other information available to the department.

18 (c) The department may cooperate with any governmental or
19 private entity to carry out the department's duties under this
20 subchapter.

21 (d) The department may use gifts, grants, donations, or
22 money appropriated to the department to carry out the department's
23 duties under this subchapter.

24 SECTION 4. This Act takes effect September 1, 2023.