

By: LaMantia

S.B. No. 2239

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of an advisory committee to study housing supply and affordability.

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

SECTION 1. Subchapter HH, Chapter 2306, Government Code, is amended by adding Section 2306.806 to read as follows:

Sec. 2306.806. ADVISORY COMMITTEE TO STUDY HOUSING SUPPLY AND AFFORDABILITY. (a) In this section, "political subdivision" means a county or municipality.

(b) An advisory committee is established to conduct a decennial study on housing supply and affordability in this state.

(c) For each study conducted under this section, the advisory committee is composed of the following 15 members:

(1) two state senators appointed by the lieutenant governor;

(2) two state representatives appointed by the speaker of the house of representatives;

(3) the director or the director's designee;

(4) two individuals appointed by the speaker of the house of representatives who represent the home building industry, one of whom must represent builders of rental housing and one of whom must represent housing built for sale;

(5) two individuals appointed by the lieutenant governor who represent a political subdivision or a statewide

1 organization that represents political subdivisions;

2 (6) two academic professionals who study housing
3 supply constraints, one of whom is appointed by the lieutenant
4 governor and one of whom is appointed by the speaker of the house of
5 representatives;

6 (7) one individual appointed by the speaker of the
7 house of representatives who represents a trade association
8 consisting of members who are licensed real estate sales agents;

9 (8) one individual appointed by the lieutenant
10 governor who represents a statewide nonprofit housing advocacy
11 group;

12 (9) one individual appointed by the speaker of the
13 house of representatives who represents a trade association
14 consisting of members who own, build, or operate extensively in the
15 home building industry; and

16 (10) one individual appointed by the lieutenant
17 governor who represents a trade association consisting of members
18 who own, build, or operate extensively, as determined by the
19 lieutenant governor, in the apartment industry.

20 (d) Not later than one year preceding the date on which a
21 decennial report is required to be submitted under Subsection (j),
22 the appropriate appointing authorities under Subsection (c) shall
23 appoint the members to the advisory committee in the manner
24 required by that subsection.

25 (e) An advisory committee member serves in that position
26 only for the study for which the member was appointed, and the
27 member's term expires after the applicable report is submitted

1 under Subsection (j).

2 (f) An advisory committee member is not entitled to
3 compensation or reimbursement for expenses incurred in carrying out
4 advisory committee duties.

5 (g) For each study conducted under this section, the
6 lieutenant governor and the speaker of the house of representatives
7 shall each designate one member appointed under Subsection (c)(1)
8 or (c)(2), as applicable, to serve as co-chairs of the advisory
9 committee.

10 (h) Each advisory committee shall meet at the call of the
11 co-chairs appointed under Subsection (g).

12 (i) In conducting the study under this section, the advisory
13 committee shall:

14 (1) evaluate existing data sources and develop new
15 data on improving housing supply and affordability;

16 (2) evaluate the review processes of political
17 subdivisions that permit new housing developments;

18 (3) evaluate the rate at which political subdivisions
19 approve new housing developments by right;

20 (4) evaluate the timelines by which political
21 subdivisions approve new housing developments, factoring in any
22 pre-submission requirements;

23 (5) evaluate impact and permitting fees for new
24 housing developments;

25 (6) identify the number of each particular type of new
26 housing development, aggregated and disaggregated by the
27 permitting political subdivision and development type, including

1 accessory dwelling units, small-lot homes, townhomes, mobile
2 homes, and below market rate housing;

3 (7) identify state grants from any source that may be
4 used to reward political subdivisions with rules that support
5 abundant, relatively low-cost housing construction;

6 (8) develop methods to identify and award grants to
7 political subdivisions based on housing market outcomes or housing
8 policies, which may require the political subdivision to:

9 (A) demonstrate that the political subdivision
10 permits new housing developments at a rate that is in the top half
11 of political subdivisions in this state;

12 (B) demonstrate that the political subdivision
13 permits new housing developments at a rate that is in the top half
14 of political subdivisions in this state for relatively low-cost
15 housing, including multifamily housing, manufactured homes,
16 townhomes on less than 4,000 square feet of land per unit, and
17 accessory dwelling units; or

18 (C) zone in a manner that ensures a sufficient
19 housing supply is created based on market demand;

20 (9) evaluate a political subdivision's use of general
21 obligation bond proceeds to engage in affordable housing-related
22 projects; and

23 (10) evaluate the efficacy of the owning and operating
24 of employee housing by political subdivisions.

25 (j) For each study conducted under this section, the
26 advisory committee shall prepare and submit to the legislature a
27 written report that summarizes the results of the study conducted

1 under this section. The report must:

2 (1) include specific legislative and funding
3 recommendations to improve housing supply and affordability issues
4 in this state; and

5 (2) recommend policy changes at the state and local
6 level to facilitate data collection on and improve housing supply
7 and affordability issues in this state.

8 (k) The advisory committee may accept gifts, grants, and
9 donations from any source to carry out the committee's duties under
10 this section.

11 (l) Not later than September 1, 2024, and every 10 years
12 thereafter, the advisory committee shall submit the report required
13 under Subsection (j).

14 SECTION 2. As soon as practicable after the effective date
15 of this Act, the appropriate appointing authorities shall make the
16 first appointments to the advisory committee as required by Section
17 2306.806(c), Government Code, as added by this Act.

18 SECTION 3. This Act takes effect September 1, 2023.