

1-1 By: West S.B. No. 1474  
1-2 (In the Senate - Filed March 13, 2003; March 20, 2003, read  
1-3 first time and referred to Committee on State Affairs;  
1-4 May 13, 2003, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 5, Nays 0; May 13, 2003,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1474 By: Ellis

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to discrimination against a housing development based on  
1-11 the source of funding for the development.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 2306.032, Government Code, is amended by  
1-14 adding Subsection (h) to read as follows:

1-15 (h) In evaluating public comment, the board may not consider  
1-16 opposition to a housing development solely based on the source of  
1-17 funding for the development.

1-18 SECTION 2. Chapter 250, Local Government Code, is amended  
1-19 by adding Section 250.003 to read as follows:

1-20 Sec. 250.003. REGULATION OF HOUSING DEVELOPMENTS. (a) In  
1-21 this section, "housing development" has the meaning assigned by  
1-22 Section 2306.004, Government Code.

1-23 (b) The governing body of a municipality or county may not,  
1-24 based on the source of funding for the development, regulate the  
1-25 location of a housing development or issue, modify, or deny a permit  
1-26 for a housing development.

1-27 SECTION 3. The change in law made by Subsection (h), Section  
1-28 2306.032, Government Code, as added by this Act, applies only to an  
1-29 application for a low income housing tax credit allocation  
1-30 submitted to the Texas Department of Housing and Community Affairs  
1-31 on or after the effective date of this Act. An application for an  
1-32 allocation submitted before the effective date of this Act is  
1-33 governed by the law in effect on the date the application was  
1-34 submitted, and the former law is continued in effect for that  
1-35 purpose.

1-36 SECTION 4. This Act takes effect September 1, 2003.

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