

By: Straus

H.B. No. 3356

A BILL TO BE ENTITLED

AN ACT

relating to the acquisition of real property by public housing authorities.

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

SECTION 1. The heading to Section 392.005, Local Government Code, is amended to read as follows:

Sec. 392.005. TAX EXEMPTION; PAYMENT IN LIEU OF TAXES TO OTHER TAXING UNITS.

SECTION 2. Section 392.005, Local Government Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) If a housing authority's acquisition of real property for a proposed housing project will result in removing real property otherwise subject to ad valorem taxation from a taxing unit's tax rolls, the housing authority shall pay to each taxing unit in which the property is located, on or before January 1 of each year, as a payment in lieu of taxes, an amount equal to the amount of ad valorem taxes that otherwise would have been levied by the taxing unit for the preceding tax year on that real property, excluding the value of any improvements constructed on the property.

SECTION 3. Subchapter D, Chapter 392, Local Government Code, is amended by adding Section 392.0527 to read as follows:

Sec. 392.0527. APPROVAL BY MUNICIPALITY OR COUNTY REQUIRED FOR PROPOSED HOUSING PROJECTS. Before the site for a housing

1 project is approved by the commissioners of a housing authority,
2 the authority must obtain written approval from the governing body
3 of any municipality in which the site is located or, if the site is
4 not located in a municipality, from the commissioners court of any
5 county in which the site is located.

6 SECTION 4. Sections 392.054(a) and (d), Local Government
7 Code, are amended to read as follows:

8 (a) In addition to any other notice required by law, the
9 commissioners of an authority shall post notice of the date, hour,
10 place, and subject of a meeting required by Section 392.053. If the
11 proposed housing project that is the subject of the meeting
12 involves the purchase of real property, the notice must include the
13 street address of the proposed housing project and a description of
14 the site of the proposed housing project, including any common name
15 for the site. The notice must be posted before the 30th day before
16 the date of the meeting on a bulletin board at a place convenient to
17 the public in:

18 (1) the county courthouse of the county in which the
19 proposed site is located; and

20 (2) the city hall of the municipality in which the
21 proposed site is located, if applicable.

22 (d) At a location at the proposed site that is visible from a
23 regularly traveled thoroughfare, before the 30th day before the
24 date of the meeting the commissioners shall post a sign not less
25 than four feet by four feet with a caption stating "Site of Proposed
26 Housing Project" in eight-inch letters. The sign must state the
27 nature and street address [~~location~~] of the proposed project, the

1 names and addresses of the governmental entities involved in the
2 development of the project, and the date, time, and place of the
3 meeting.

4 SECTION 5. The change in law made by this Act applies only
5 to a housing project that is proposed by a housing authority on or
6 after the effective date of this Act. A project that is proposed by
7 a housing authority before the effective date of this Act is
8 governed by the law in effect on the date the project was proposed,
9 and the former law is continued in effect for that purpose.

10 SECTION 6. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2007.