

By: Eiland

H.B. No. 2450

A BILL TO BE ENTITLED

AN ACT

relating to a determination of home ownership by the Texas Department of Housing and Community Affairs following a disaster.

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

SECTION 1. Subchapter H, Chapter 2306, Government Code, is amended by adding Section 2306.188 to read as follows:

Sec. 2306.188. ESTABLISHING HOME OWNERSHIP IN DISASTER AREA. (a) The department may adopt rules to allow applicants for department assistance with respect to a home located in an area declared to be a disaster under Section 418.014 to establish ownership of the home through nontraditional documentation of title, such as an affidavit of heirship, tax receipts, electric bills, or evidence of insurance for the home.

(b) Any rules adopted under this section must include standards for documentation that are designed to ensure that department assistance is provided only to an applicant who is a record title holder of the home and who was in possession of the home on the date that the disaster was declared. The rules may not, as a condition for the receipt of that assistance, require the applicant to establish clear title through the use of a private entity that researches title and guarantees clear title.

SECTION 2. The Texas Department of Housing and Community Affairs shall adopt the rules required by Section 2306.188, Government Code, as added by this Act, not later than October 1,

1 2009.

2 SECTION 3. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2009.