

1-1 By: Eiland, Guillen (Senate Sponsor - Lucio) H.B. No. 2450
1-2 (In the Senate - Received from the House April 29, 2009;
1-3 May 4, 2009, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 18, 2009, reported adversely,
1-5 with favorable Committee Substitute by the following vote: Yeas 5,
1-6 Nays 0; May 18, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 2450 By: Wentworth

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

1-10 relating to the administration of programs by the Texas Department
1-11 of Housing and Community Affairs in response to or in preparation
1-12 for a natural disaster.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subchapter H, Chapter 2306, Government Code, is
1-15 amended by adding Section 2306.188 to read as follows:

1-16 Sec. 2306.188. ESTABLISHING HOME OWNERSHIP IN DISASTER
1-17 AREA. (a) An applicant for federally provided financial
1-18 assistance administered by the department to repair or rebuild a
1-19 home damaged by a natural disaster may establish ownership of the
1-20 home through nontraditional documentation of title. The department
1-21 shall process an application for that assistance as if the
1-22 applicant is the record title holder of the affected real property
1-23 if the applicant provides to the department:

1-24 (1) on a form prescribed by the department, an
1-25 affidavit summarizing the basis on which the applicant claims to be
1-26 the holder of record title or, if applicable, a successor in
1-27 interest to the holder of record title and stating that:

1-28 (A) there is no other person entitled to claim
1-29 any ownership interest in the property; or

1-30 (B) each person who may be entitled to claim an
1-31 ownership interest in the property has given consent to the
1-32 application or cannot be located after a reasonable effort; and

1-33 (2) other documentation, including tax receipts,
1-34 utility bills, or evidence of insurance for the home, that
1-35 indicates that the applicant exercised ownership over the property
1-36 at the time of the natural disaster.

1-37 (b) This section does not establish record ownership or
1-38 otherwise alter legal ownership of real property.

1-39 (c) The department is not liable to any claimed owner of an
1-40 interest in real property for administering financial assistance as
1-41 permitted by this section.

1-42 SECTION 2. Chapter 2306, Government Code, is amended by
1-43 adding Subchapter X-2 to read as follows:

1-44 SUBCHAPTER X-2. NATURAL DISASTER HOUSING RECONSTRUCTION
1-45 INITIATIVE

1-46 Sec. 2306.541. NATURAL DISASTER HOUSING RECONSTRUCTION
1-47 ADVISORY COMMITTEE. (a) The director shall appoint a natural
1-48 disaster housing reconstruction advisory committee composed of
1-49 representatives from appropriate local, state, and federal
1-50 entities and organizations and nonprofit organizations.

1-51 (b) The advisory committee shall develop a natural disaster
1-52 housing reconstruction plan. In developing this plan, the advisory
1-53 committee shall:

1-54 (1) evaluate existing systems of providing temporary
1-55 housing to victims of natural disasters and develop alternative
1-56 systems to increase efficiency and cost-effectiveness;

1-57 (2) evaluate existing models for providing permanent
1-58 replacement housing to victims of natural disasters;

1-59 (3) design alternatives to existing models to improve
1-60 the sustainability, affordability, desirability, and quality of
1-61 housing rebuilt in the event of future natural disasters;

1-62 (4) evaluate economic circumstances of elderly,
1-63 disabled, and low-income victims of natural disasters and develop

2-1 models for providing affordable replacement housing;
2-2 (5) recommend programs for the rapid and efficient
2-3 large-scale production of temporary and permanent replacement
2-4 housing following a natural disaster; and

2-5 (6) encourage the participation, coordination, and
2-6 involvement of appropriate federal organizations.

2-7 (c) Chapter 2110 does not apply to the advisory committee.

2-8 Sec. 2306.542. HOUSING RECONSTRUCTION DEMONSTRATION PILOT
2-9 PROGRAM. (a) Using the natural disaster housing reconstruction

2-10 plan developed under this subchapter, the director and advisory
2-11 committee shall develop, for implementation under Subsections (b)
2-12 and (c), housing reconstruction demonstration pilot programs for
2-13 three areas, each of which was affected by one of the three most
2-14 recent federally declared natural disasters. The pilot programs
2-15 must provide for the replacement of at least 20 houses in each area
2-16 to test the feasibility of implementing the plan in the large-scale
2-17 production of replacement housing for victims of federally declared
2-18 natural disasters.

2-19 (b) The department shall provide to an interested council of
2-20 government, county, or local government eligible for funding for
2-21 disaster recovery under the community development block grant
2-22 program:

2-23 (1) information regarding a pilot program developed
2-24 under Subsection (a); and

2-25 (2) assistance in implementing a pilot program
2-26 developed under Subsection (a).

2-27 (c) At the discretion of the board, the department may
2-28 implement a pilot program in any of the three most recently
2-29 federally declared disaster areas in which a pilot program has not
2-30 been implemented by a council of government, county, or local
2-31 government. The department may use any available funds to
2-32 implement the pilot program.

2-33 SECTION 3. The purpose of this Act in adding Subchapter X-2,
2-34 Chapter 2306, Government Code, is to encourage the development of a
2-35 model plan for future reconstruction efforts to increase the
2-36 effective and efficient delivery of natural disaster housing
2-37 recovery services by state agencies. This Act is not meant to delay
2-38 or otherwise interfere with ongoing reconstruction efforts.

2-39 SECTION 4. (a) Not later than January 1, 2010, the
2-40 executive director of the Texas Department of Housing and Community
2-41 Affairs shall submit the natural disaster housing reconstruction
2-42 plan developed under Subsection (b), Section 2306.541, Government
2-43 Code, as added by this Act, to the governing board of the Texas
2-44 Department of Housing and Community Affairs.

2-45 (b) Not later than March 1, 2010, the executive director of
2-46 the Texas Department of Housing and Community Affairs shall provide
2-47 housing reconstruction demonstration pilot program information to
2-48 an interested council of government, county, or local government
2-49 eligible for funding for disaster recovery under the community
2-50 development block grant program.

2-51 SECTION 5. This Act takes effect September 1, 2009.

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