

By: Davis of Dallas

H.B. No. 3161

A BILL TO BE ENTITLED

AN ACT

relating to the administration of the Texas Department of Housing and Community Affairs.

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

SECTION 1. Subchapter D, Chapter 2306, Government Code, is amended by adding Section 2306.0725 to read as follows:

Sec. 2306.0725. STUDY OF EFFECTIVENESS OF STATE LOW INCOME HOUSING PLAN. (a) The department shall conduct a study regarding the effectiveness of the annual state low income housing plan under Section 2306.0721 in identifying all available housing resources and directing those resources to address the need for affordable housing in the underserved areas of each uniform state service region.

(b) The study must examine and provide recommendations regarding strategies for increasing the availability of affordable housing in the areas described by Subsection (a).

(c) Not later than December 1, 2010, the department shall submit a report regarding the results of the study to the legislature.

(d) This section expires September 2, 2011.

SECTION 2. Subchapter F, Chapter 2306, Government Code, is amended by adding Section 2306.129 to read as follows:

Sec. 2306.129. FUNDING. The department shall seek and apply for any available federal funding, including federal matching

1 funds, to assist with financing programs administered by the  
2 department.

3 SECTION 3. Section 2306.201(b), Government Code, is amended  
4 to read as follows:

5 (b) The fund consists of:

6 (1) appropriations or transfers made to the fund;

7 (2) unencumbered fund balances;

8 (3) public or private gifts or grants;

9 (4) investment income, including all interest,  
10 dividends, capital gains, or other income from the investment of  
11 any portion of the fund;

12 (5) repayments received on loans made from the fund;

13 [~~and~~]

14 (6) money deposited to the fund under Section  
15 118.0115, Local Government Code; and

16 (7) funds from any other source.

17 SECTION 4. Section 118.011, Local Government Code, is  
18 amended by adding Subsection (g) to read as follows:

19 (g) A county clerk shall collect an affordable housing fee  
20 of \$10 for each document filed for recording for which a fee is  
21 charged as described by Section 118.013. This fee is in addition to  
22 any other fee charged for recording the document, and the clerk  
23 shall collect the fee at the time the document is presented for  
24 recording.

25 SECTION 5. Subchapter B, Chapter 118, Local Government  
26 Code, is amended by adding Section 118.0115 to read as follows:

27 Sec. 118.0115. AFFORDABLE HOUSING FEE. (a) Not later than

1 the deadline specified by Section 113.022, the county clerk shall  
2 remit to the county treasurer the affordable housing fees collected  
3 under Section 118.011(g).

4 (b) Not later than the last day of the month following each  
5 quarter, the county treasurer shall remit to the comptroller \$9.90  
6 of each affordable housing fee received under Subsection (a) for  
7 that quarter. The county treasurer shall retain 10 cents of each  
8 fee and any interest earned on the entire fee to reimburse the  
9 county for expenses associated with collecting and remitting the  
10 fee.

11 (c) The comptroller shall deposit amounts received under  
12 Subsection (b) to the credit of the housing trust fund established  
13 under Section 2306.201, Government Code, for use in accordance with  
14 the purposes of that fund.

15 SECTION 6. The change in law made by this Act in adding  
16 Section 118.011(g), Local Government Code, applies only to a  
17 document presented for recording to a county clerk on or after the  
18 effective date of this Act. A document presented for recording  
19 before the effective date of this Act is governed by the law as it  
20 existed immediately before the effective date of this Act, and the  
21 former law is continued in effect for that purpose.

22 SECTION 7. This Act takes effect September 1, 2009.