

By: Davis of Dallas

H.B. No. 3163

A BILL TO BE ENTITLED

AN ACT

relating to funding the housing trust fund.

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

SECTION 1. Section 2306.201, Government Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) The fund consists of:

(1) appropriations or transfers made to the fund;

(2) unencumbered fund balances;

(3) public or private gifts, ~~or~~ grants, or donations;

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

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

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

(7) funds from any other source.

(c) The department may accept gifts, grants, or donations for the housing trust fund. All funds received for the housing trust fund under Subsection (b) shall be deposited or transferred into the Texas Treasury Safekeeping Trust Company.

SECTION 2. Section 118.011, Local Government Code, is

1 amended by adding Subsection (g) to read as follows:

2 (g) A county clerk shall collect an affordable housing fee
3 of \$10 for each document filed for recording for which a fee is
4 charged as described by Section 118.013. This fee is in addition to
5 any other fee charged for recording the document, and the clerk
6 shall collect the fee at the time the document is presented for
7 recording.

8 SECTION 3. Subchapter B, Chapter 118, Local Government
9 Code, is amended by adding Section 118.0115 to read as follows:

10 Sec. 118.0115. AFFORDABLE HOUSING FEE. (a) Not later than
11 the deadline specified by Section 113.022, the county clerk shall
12 remit to the county treasurer the affordable housing fees collected
13 under Section 118.011(g).

14 (b) Not later than the last day of the month following each
15 quarter, the county treasurer shall remit to the comptroller \$9.90
16 of each affordable housing fee received under Subsection (a) for
17 that quarter. The county treasurer shall retain 10 cents of each
18 fee and any interest earned on the entire fee to reimburse the
19 county for expenses associated with collecting and remitting the
20 fee.

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

25 SECTION 4. The change in law made by this Act in adding
26 Section 118.011(g), Local Government Code, applies only to a
27 document presented for recording to a county clerk on or after the

1 effective date of this Act. A document presented for recording
2 before the effective date of this Act is governed by the law as it
3 existed immediately before the effective date of this Act, and the
4 former law is continued in effect for that purpose.

5 SECTION 5. This Act takes effect September 1, 2009.