

By: Deuell

S.B. No. 1002

Substitute the following for S.B. No. 1002:

By: Turner of Tarrant

C.S.S.B. No. 1002

A BILL TO BE ENTITLED

AN ACT

relating to the continuation and functions of the Texas State
Affordable Housing Corporation.

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

SECTION 1. Subchapter C, Chapter 2306, Government Code, is
amended by adding Section 2306.058 to read as follows:

Sec. 2306.058. TRANSITION PLAN FOR CERTAIN POWERS, DUTIES,
AND PROGRAMS; RULES. (a) The director by rule shall adopt a
transition plan for the department's assumption of the former
powers and duties of the Texas State Affordable Housing Corporation
under Section 2306.551. The transition plan must:

(1) include a timetable with specific steps and
deadlines needed to fully complete the transfer; and

(2) ensure that the transfer is fully implemented not
later than January 1, 2010.

(b) The director may adopt rules necessary to improve the
efficiency or effectiveness of any program that is transferred to
the department as a result of the department's assumption of the
former powers and duties of the Texas State Affordable Housing
Corporation under Section 2306.551, including rules that provide
for consolidating the operation of programs already administered by
the department and a program or programs that are transferred to the
department from the Texas State Affordable Housing Corporation.

SECTION 2. Subchapter Y, Chapter 2306, Government Code, is

1 amended by amending Section 2306.551 and adding Section 2306.5511
2 to read as follows:

3 Sec. 2306.551. TRANSFER OF CORPORATION POWERS AND DUTIES
4 AND ASSETS. (a) The powers and duties of the corporation under
5 this chapter or other law are transferred to the Texas Department of
6 Housing and Community Affairs.

7 (b) The corporation shall transfer to the Texas Department
8 of Housing and Community Affairs:

9 (1) all assets owned or distributed by the
10 corporation, including any real or personal property owned by the
11 corporation and any bond revenue distributed by the corporation;

12 (2) all records related to the operation of any home
13 loan programs under this chapter; and

14 (3) any applications pending with the corporation on
15 the date the corporation is dissolved by the board of the
16 corporation.

17 (c) The board of the corporation shall:

18 (1) take all necessary actions to dissolve the
19 corporation; and

20 (2) at the request of the director, assist the
21 director in formulating the transition plan under Section 2306.058.

22 Sec. 2306.5511. DEFINITION; CONSTRUCTION OF OTHER LAW. (a)
23 In this subchapter, "corporation" means the Texas State Affordable
24 Housing Corporation.

25 (b) A reference in law to the corporation is a reference to
26 the Texas Department of Housing and Community Affairs.

27 SECTION 3. Sections 2306.255(g) and 2306.552, Government

1 Code, are repealed.

2 SECTION 4. (a) The Texas State Affordable Housing
3 Corporation is abolished on January 1, 2010.

4 (b) All powers, duties, obligations, rights, contracts,
5 funds, unspent appropriations, records, real or personal property,
6 and personnel of the Texas State Affordable Housing Corporation
7 shall be transferred to the Texas Department of Housing and
8 Community Affairs not later than January 1, 2010.

9 (c) A policy, procedure, or decision of the Texas State
10 Affordable Housing Corporation relating to a duty of that
11 corporation that is transferred to the authority of the Texas
12 Department of Housing and Community Affairs under Section 2306.551,
13 Government Code, as amended by this Act, continues in effect as a
14 policy, procedure, or decision of the Texas Department of Housing
15 and Community Affairs until superseded by an act of the director of
16 the Texas Department of Housing and Community Affairs.

17 (d) Except as otherwise provided by this Act, the validity
18 of a plan or procedure adopted, contract or acquisition made,
19 proceeding begun, grant or loan awarded, obligation incurred, right
20 accrued, or other action taken by or in connection with the
21 authority of the Texas State Affordable Housing Corporation before
22 that corporation is abolished under Subsection (a) of this section
23 is not affected by the abolishment.

24 (e) The director of the Texas Department of Housing and
25 Community Affairs shall adopt rules relating to the transfer of the
26 programs assigned to the Texas Department of Housing and Community
27 Affairs under Section 2306.551, Government Code, as amended by this

1 Act, not later than October 1, 2009.

2 SECTION 5. 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.