

BILL ANALYSIS

H.B. 1372
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Urban Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

A municipality with a municipal housing authority composed of five commissioners is currently required to appoint at least one commissioner to the authority who is a tenant of a public housing project over which the authority has jurisdiction. Interested parties cite a sponsor of the enacting legislation in identifying the original intent of the requirement as making housing authority boards more responsive to residents' needs and educating and involving residents in the challenges facing housing authorities. These interested parties contend, however, that for some smaller public housing authorities, the requirement has long presented two problems: difficulty finding someone willing to serve, especially in communities where most of the public housing residents are elderly, and difficulty replacing a qualified candidate once that candidate meets the term limit.

In an effort to address these problems, H.B. 1372 creates certain exceptions relating to the appointment of a tenant representative as a commissioner of certain municipal housing authorities. Interested parties note that the bill does not remove the opportunity for tenant participation in housing authorities because federal law still requires the input of a resident advisory board for all sizes of public housing authorities.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1372 amends the Local Government Code to exempt the presiding officer of the governing body of a municipality that has a municipal housing authority in which the total number of units is 300 or fewer from the requirement to appoint a tenant to the position of commissioner of the authority if the presiding officer has provided timely notice of a vacancy in the position to all eligible tenants and is unable to fill the position with an eligible tenant before the 60th day after the date the position becomes vacant. The bill exempts a commissioner who is a tenant representative in such a municipality from the provision limiting the commissioner to two consecutive two-year terms. The bill makes conforming changes.

EFFECTIVE DATE

September 1, 2011.