

By: West
(Mallory Caraway)

S.B. No. 759

A BILL TO BE ENTITLED

AN ACT

relating to the state low income housing plan and report developed
by the Texas Department of Housing and Community Affairs.

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

SECTION 1. Subsection (c), Section 2306.072, Government
Code, is amended to read as follows:

(c) The report must include:

(1) a complete operating and financial statement of
the department;

(2) a comprehensive statement of the activities of the
department during the preceding year to address the needs
identified in the state low income housing plan prepared as
required by Section 2306.0721, including:

(A) a statistical and narrative analysis of the
department's performance in addressing the housing needs of
individuals and families of low and very low income;

(B) the ethnic and racial composition of
individuals and families applying for and receiving assistance from
each housing-related program operated by the department; ~~and~~

(C) the department's progress in meeting the
goals established in the previous housing plan, including goals
established with respect to the populations described by Section
2306.0721(c)(1); and

(D) recommendations on how to improve the

1 coordination of department services to the populations described by
2 Section 2306.0721(c)(1);

3 (3) an explanation of the efforts made by the
4 department to ensure the participation of individuals of low income
5 and their community-based institutions in department programs that
6 affect them;

7 (4) a statement of the evidence that the department
8 has made an affirmative effort to ensure the involvement of
9 individuals of low income and their community-based institutions in
10 the allocation of funds and the planning process;

11 (5) a statistical analysis, delineated according to
12 each ethnic and racial group served by the department, that
13 indicates the progress made by the department in implementing the
14 state low income housing plan in each of the uniform state service
15 regions;

16 (6) an analysis, based on information provided by the
17 fair housing sponsor reports required under Section 2306.0724 and
18 other available data, of fair housing opportunities in each housing
19 development that receives financial assistance from the department
20 that includes the following information for each housing
21 development that contains 20 or more living units:

22 (A) the street address and municipality or county
23 in which the property is located;

24 (B) the telephone number of the property
25 management or leasing agent;

26 (C) the total number of units, reported by
27 bedroom size;

1 (D) the total number of units, reported by
2 bedroom size, designed for individuals who are physically
3 challenged or who have special needs and the number of these
4 individuals served annually;

5 (E) the rent for each type of rental unit,
6 reported by bedroom size;

7 (F) the race or ethnic makeup of each project;

8 (G) the number of units occupied by individuals
9 receiving government-supported housing assistance and the type of
10 assistance received;

11 (H) the number of units occupied by individuals
12 and families of extremely low income, very low income, low income,
13 moderate income, and other levels of income;

14 (I) a statement as to whether the department has
15 been notified of a violation of the fair housing law that has been
16 filed with the United States Department of Housing and Urban
17 Development, the Commission on Human Rights, or the United States
18 Department of Justice; and

19 (J) a statement as to whether the development has
20 any instances of material noncompliance with bond indentures or
21 deed restrictions discovered through the normal monitoring
22 activities and procedures that include meeting occupancy
23 requirements or rent restrictions imposed by deed restriction or
24 financing agreements;

25 (7) a report on the geographic distribution of low
26 income housing tax credits, the amount of unused low income housing
27 tax credits, and the amount of low income housing tax credits

1 received from the federal pool of unused funds from other states;
2 and

3 (8) a statistical analysis, based on information
4 provided by the fair housing sponsor reports required by Section
5 2306.0724 and other available data, of average rents reported by
6 county.

7 SECTION 2. Subsection (c), Section 2306.0721, Government
8 Code, is amended to read as follows:

9 (c) The plan must include:

10 (1) an estimate and analysis of the size and the
11 different housing needs of the following populations in each
12 uniform state service region:

13 (A) individuals and families of moderate, low,
14 very low, and extremely low income;

15 (B) individuals with special needs; ~~and~~

16 (C) homeless individuals;

17 (D) veterans;

18 (E) farmworkers; and

19 (F) youth who are aging out of foster care;

20 (2) a proposal to use all available housing resources
21 to address the housing needs of the populations described by
22 Subdivision (1) by establishing funding levels for all
23 housing-related programs;

24 (3) an estimate of the number of federally assisted
25 housing units available for individuals and families of low and
26 very low income and individuals with special needs in each uniform
27 state service region;

1 (4) a description of state programs that govern the
2 use of all available housing resources;

3 (5) a resource allocation plan that targets all
4 available housing resources to individuals and families of low and
5 very low income and individuals with special needs in each uniform
6 state service region;

7 (6) a description of the department's efforts to
8 monitor and analyze the unused or underused federal resources of
9 other state agencies for housing-related services and services for
10 homeless individuals and the department's recommendations to
11 ensure the full use by the state of all available federal resources
12 for those services in each uniform state service region;

13 (7) strategies to provide housing for individuals and
14 families with special needs in each uniform state service region;

15 (8) a description of the department's efforts to
16 encourage in each uniform state service region the construction of
17 housing units that incorporate energy efficient construction and
18 appliances;

19 (9) an estimate and analysis of the housing supply in
20 each uniform state service region;

21 (10) an inventory of all publicly and, where possible,
22 privately funded housing resources, including public housing
23 authorities, housing finance corporations, community housing
24 development organizations, and community action agencies;

25 (11) strategies for meeting rural housing needs;

26 (12) a biennial action plan for colonias that:

27 (A) addresses current policy goals for colonia

1 programs, strategies to meet the policy goals, and the projected
2 outcomes with respect to the policy goals; and

3 (B) includes information on the demand for
4 contract-for-deed conversions, services from self-help centers,
5 consumer education, and other colonia resident services in counties
6 some part of which is within 150 miles of the international border
7 of this state;

8 (13) a summary of public comments received at a
9 hearing under this chapter or from another source that concern the
10 demand for colonia resident services described by Subdivision (12);
11 and

12 (14) any other housing-related information that the
13 state is required to include in the one-year action plan of the
14 consolidated plan submitted annually to the United States
15 Department of Housing and Urban Development.

16 SECTION 3. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2011.