

1-1 By: West S.B. No. 759
1-2 (In the Senate - Filed February 17, 2011; February 23, 2011,
1-3 read first time and referred to Committee on Intergovernmental
1-4 Relations; March 28, 2011, reported favorably by the following
1-5 vote: Yeas 4, Nays 0; March 28, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the state low income housing plan and report developed
1-9 by the Texas Department of Housing and Community Affairs.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subsection (c), Section 2306.072, Government
1-12 Code, is amended to read as follows:

1-13 (c) The report must include:

1-14 (1) a complete operating and financial statement of
1-15 the department;

1-16 (2) a comprehensive statement of the activities of the
1-17 department during the preceding year to address the needs
1-18 identified in the state low income housing plan prepared as
1-19 required by Section 2306.0721, including:

1-20 (A) a statistical and narrative analysis of the
1-21 department's performance in addressing the housing needs of
1-22 individuals and families of low and very low income;

1-23 (B) the ethnic and racial composition of
1-24 individuals and families applying for and receiving assistance from
1-25 each housing-related program operated by the department; ~~and~~

1-26 (C) the department's progress in meeting the
1-27 goals established in the previous housing plan, including goals
1-28 established with respect to the populations described by Section
1-29 2306.0721(c)(1); and

1-30 (D) recommendations on how to improve the
1-31 coordination of department services to the populations described by
1-32 Section 2306.0721(c)(1);

1-33 (3) an explanation of the efforts made by the
1-34 department to ensure the participation of individuals of low income
1-35 and their community-based institutions in department programs that
1-36 affect them;

1-37 (4) a statement of the evidence that the department
1-38 has made an affirmative effort to ensure the involvement of
1-39 individuals of low income and their community-based institutions in
1-40 the allocation of funds and the planning process;

1-41 (5) a statistical analysis, delineated according to
1-42 each ethnic and racial group served by the department, that
1-43 indicates the progress made by the department in implementing the
1-44 state low income housing plan in each of the uniform state service
1-45 regions;

1-46 (6) an analysis, based on information provided by the
1-47 fair housing sponsor reports required under Section 2306.0724 and
1-48 other available data, of fair housing opportunities in each housing
1-49 development that receives financial assistance from the department
1-50 that includes the following information for each housing
1-51 development that contains 20 or more living units:

1-52 (A) the street address and municipality or county
1-53 in which the property is located;

1-54 (B) the telephone number of the property
1-55 management or leasing agent;

1-56 (C) the total number of units, reported by
1-57 bedroom size;

1-58 (D) the total number of units, reported by
1-59 bedroom size, designed for individuals who are physically
1-60 challenged or who have special needs and the number of these
1-61 individuals served annually;

1-62 (E) the rent for each type of rental unit,
1-63 reported by bedroom size;

1-64 (F) the race or ethnic makeup of each project;

2-1 (G) the number of units occupied by individuals
 2-2 receiving government-supported housing assistance and the type of
 2-3 assistance received;

2-4 (H) the number of units occupied by individuals
 2-5 and families of extremely low income, very low income, low income,
 2-6 moderate income, and other levels of income;

2-7 (I) a statement as to whether the department has
 2-8 been notified of a violation of the fair housing law that has been
 2-9 filed with the United States Department of Housing and Urban
 2-10 Development, the Commission on Human Rights, or the United States
 2-11 Department of Justice; and

2-12 (J) a statement as to whether the development has
 2-13 any instances of material noncompliance with bond indentures or
 2-14 deed restrictions discovered through the normal monitoring
 2-15 activities and procedures that include meeting occupancy
 2-16 requirements or rent restrictions imposed by deed restriction or
 2-17 financing agreements;

2-18 (7) a report on the geographic distribution of low
 2-19 income housing tax credits, the amount of unused low income housing
 2-20 tax credits, and the amount of low income housing tax credits
 2-21 received from the federal pool of unused funds from other states;
 2-22 and

2-23 (8) a statistical analysis, based on information
 2-24 provided by the fair housing sponsor reports required by Section
 2-25 2306.0724 and other available data, of average rents reported by
 2-26 county.

2-27 SECTION 2. Subsection (c), Section 2306.0721, Government
 2-28 Code, is amended to read as follows:

2-29 (c) The plan must include:

2-30 (1) an estimate and analysis of the size and the
 2-31 different housing needs of the following populations in each
 2-32 uniform state service region:

2-33 (A) individuals and families of moderate, low,
 2-34 very low, and extremely low income;

2-35 (B) individuals with special needs; ~~and~~

2-36 (C) homeless individuals;

2-37 (D) veterans;

2-38 (E) farmworkers; and

2-39 (F) youth who are aging out of foster care;

2-40 (2) a proposal to use all available housing resources
 2-41 to address the housing needs of the populations described by
 2-42 Subdivision (1) by establishing funding levels for all
 2-43 housing-related programs;

2-44 (3) an estimate of the number of federally assisted
 2-45 housing units available for individuals and families of low and
 2-46 very low income and individuals with special needs in each uniform
 2-47 state service region;

2-48 (4) a description of state programs that govern the
 2-49 use of all available housing resources;

2-50 (5) a resource allocation plan that targets all
 2-51 available housing resources to individuals and families of low and
 2-52 very low income and individuals with special needs in each uniform
 2-53 state service region;

2-54 (6) a description of the department's efforts to
 2-55 monitor and analyze the unused or underused federal resources of
 2-56 other state agencies for housing-related services and services for
 2-57 homeless individuals and the department's recommendations to
 2-58 ensure the full use by the state of all available federal resources
 2-59 for those services in each uniform state service region;

2-60 (7) strategies to provide housing for individuals and
 2-61 families with special needs in each uniform state service region;

2-62 (8) a description of the department's efforts to
 2-63 encourage in each uniform state service region the construction of
 2-64 housing units that incorporate energy efficient construction and
 2-65 appliances;

2-66 (9) an estimate and analysis of the housing supply in
 2-67 each uniform state service region;

2-68 (10) an inventory of all publicly and, where possible,
 2-69 privately funded housing resources, including public housing

3-1 authorities, housing finance corporations, community housing
3-2 development organizations, and community action agencies;

3-3 (11) strategies for meeting rural housing needs;

3-4 (12) a biennial action plan for colonias that:

3-5 (A) addresses current policy goals for colonia
3-6 programs, strategies to meet the policy goals, and the projected
3-7 outcomes with respect to the policy goals; and

3-8 (B) includes information on the demand for
3-9 contract-for-deed conversions, services from self-help centers,
3-10 consumer education, and other colonia resident services in counties
3-11 some part of which is within 150 miles of the international border
3-12 of this state;

3-13 (13) a summary of public comments received at a
3-14 hearing under this chapter or from another source that concern the
3-15 demand for colonia resident services described by Subdivision (12);
3-16 and

3-17 (14) any other housing-related information that the
3-18 state is required to include in the one-year action plan of the
3-19 consolidated plan submitted annually to the United States
3-20 Department of Housing and Urban Development.

3-21 SECTION 3. This Act takes effect immediately if it receives
3-22 a vote of two-thirds of all the members elected to each house, as
3-23 provided by Section 39, Article III, Texas Constitution. If this
3-24 Act does not receive the vote necessary for immediate effect, this
3-25 Act takes effect September 1, 2011.

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