

AN ACT

relating to the merger of housing authorities in certain municipalities and counties.

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

SECTION 1. Subchapter B, Chapter 392, Local Government Code, is amended by adding Sections 392.0131 and 392.0161 to read as follows:

Sec. 392.0131. MERGER OF CERTAIN COUNTY HOUSING AUTHORITIES INTO MUNICIPAL HOUSING AUTHORITIES. (a) This section applies only to the merger of housing authorities operating in:

(1) a county that has a population of 800,000 or more and is located on the international border; and

(2) a municipality that has a population of more than 600,000 and less than 700,000 and is located in a county described by Subdivision (1).

(b) If the commissioners court of a county described by Subsection (a)(1) and the governing body of a municipality described by Subsection (a)(2) declare by resolutions that there is a need for the county housing authority to consolidate its powers with the municipal housing authority under this chapter, the county housing authority is merged into the housing authority for the municipality.

(c) The commissioners court and the governing body of the municipality may adopt a resolution declaring that there is a need

1 for a merger as described by Subsection (b) only if the
2 commissioners court and the governing body of the municipality each
3 find that a merged housing authority would be more efficient or
4 economical than separate county and municipal housing authorities
5 in carrying out the purposes of this chapter.

6 (d) In a proceeding involving the validity or enforcement
7 of, or relating to, a contract of a merged housing authority, proof
8 of a resolution adopted under Subsection (b) by the commissioners
9 court of the county and the governing body of the municipality is
10 conclusive evidence that the merged housing authority is authorized
11 to transact business and exercise its powers under this chapter.

12 (e) When housing authorities are merged in the manner
13 provided by this section:

14 (1) the rights, contracts, agreements, obligations,
15 and property of the county housing authority become those of the
16 municipal housing authority;

17 (2) the county housing authority shall execute deeds
18 of the property to the municipal housing authority, which shall
19 file the deeds with the county clerk of the county where the real
20 property is located; and

21 (3) a person with rights or remedies against the
22 county housing authority may assert, enforce, and prosecute those
23 rights or remedies against the municipal housing authority.

24 (f) The vesting of the real property in the municipal
25 housing authority is not contingent on compliance with Subsection
26 (e)(2).

27 (g) At the time housing authorities are merged in the manner

1 provided by this section, the county housing authority ceases to
2 exist, except for the purpose of winding up the affairs of the
3 authority and executing the deeds of real property to the municipal
4 housing authority.

5 Sec. 392.0161. AREA OF OPERATION OF A MERGED HOUSING
6 AUTHORITY. Notwithstanding Section 392.017(b), the area of
7 operation of a merged housing authority is the county in which the
8 authority is created, excluding any part of the county that is
9 within the territorial boundaries of a municipality other than the
10 municipality operating the municipal housing authority into which
11 the county housing authority was merged.

12 SECTION 2. Section 392.019, Local Government Code, is
13 amended to read as follows:

14 Sec. 392.019. EFFECT OF COOPERATION AGREEMENT ON AREA OF
15 OPERATION OF HOUSING AUTHORITY. Regardless of Sections 392.015,
16 [~~and~~] 392.016, and 392.0161, the area of operation of a municipal
17 housing authority, a county housing authority, [~~or~~] a regional
18 housing authority, or a merged housing authority may extend to and
19 include another municipality, county, or other political
20 subdivision of this state, under the terms of a cooperation
21 agreement made under Section 392.059.

22 SECTION 3. Sections 392.063(a) and (c), Local Government
23 Code, are amended to read as follows:

24 (a) A county, [~~or~~] regional, or merged housing authority may
25 borrow money, accept grants, and exercise its powers to provide
26 housing for farmers of low income.

27 (c) The owner of a farm operated, or worked on, by farmers of

1 low income in need of safe and sanitary housing may file an
2 application with a county, ~~[or]~~ regional, or merged housing
3 authority requesting that the authority provide safe and sanitary
4 housing for the farmers. The housing authority shall consider the
5 applications in connection with the formulation of projects or
6 programs to provide housing for farmers of low income.

7 SECTION 4. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I certify that H.B. No. 2975 was passed by the House on May 8, 2013, by the following vote: Yeas 147, Nays 0, 2 present, not voting; and that the House adopted S.C.R. No. 38 authorizing certain corrections in H.B. No. 2975 on May 27, 2013, by the following vote: Yeas 147, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2975 was passed by the Senate on May 22, 2013, by the following vote: Yeas 31, Nays 0; and that the Senate adopted S.C.R. No. 38 authorizing certain corrections in H.B. No. 2975 on May 26, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor