

By: Miles

H.B. No. 3869

A BILL TO BE ENTITLED

AN ACT

relating to the appointment of commissioners of public housing authorities.

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

SECTION 1. Section 392.031(b), Local Government Code, is amended to read as follows:

(b) A commissioner may not be an officer or employee of the municipality. A commissioner may be a tenant of a public project over which the housing authority has jurisdiction or a person who is directly assisted by a housing authority through its housing choice voucher program.

SECTION 2. Section 392.0331(b), Local Government Code, is amended to read as follows:

(b) Except as provided by Subsection (b-1), in appointing commissioners under Section 392.031, a municipality with a municipal housing authority composed of five commissioners shall appoint at least one commissioner to the authority who is a tenant of a public housing project over which the authority has jurisdiction. In appointing commissioners under Section 392.031, a municipality with a with a municipal housing authority composed of seven or more commissioners shall appoint at least two commissioners to the authority who are tenants of a public housing project over which the authority has jurisdiction. In appointing commissioners under Section 392.031, a municipality with a

1 population over 2,000,000 with a municipal housing authority
2 composed of seven or more commissioners shall appoint at least two
3 commissioners to the authority who are directly assisted by the
4 housing authority, either as tenants of a public housing project
5 over which the authority has jurisdiction or as recipients of
6 housing assistance through the authority's housing choice voucher
7 program.

8 SECTION 4. Section 392.0331(g), Local Government Code, is
9 amended to read as follows:

10 (g) A commissioner appointed under this section may not
11 participate:

12 (1) in any vote or discussion concerning the
13 termination of the commissioner's occupancy rights in public
14 housing or of the commissioner's rights to housing assistance from
15 a housing choice voucher program or the rights of any person related
16 to the first degree of consanguinity to the commissioner with
17 respect to such person's occupancy rights in public housing or
18 right to receive housing assistance from a housing choice voucher
19 program; or

20 (2) in a grievance or administrative hearing in which
21 the commissioner or a person related in the first degree of
22 consanguinity to the commissioner is a party.

23 SECTION 5. Section 392.0331(h), Local Government Code, is
24 amended to read as follows:

25 (h) If a commissioner appointed under this section as a
26 tenant of a public housing project ceases to reside in a housing
27 unit operated by the public housing authority during the

1 commissioner's term, a majority of the other commissioners shall
2 decide whether to request that a new commissioner be appointed. A
3 majority of the commissioners may decide to allow the commissioner
4 to serve the remaining portion of the commissioner's term. If a
5 commissioner appointed under this section as a person receiving
6 direct housing assistance from a housing choice voucher program
7 ceases to receive such assistance, a majority of the other
8 commissioners shall decide whether to request that a new
9 commissioner be appointed. A majority of the commissioners may
10 decide to allow the commissioner to serve the remaining portion of
11 the commissioner's term.