

By: Ellis
(Miles)

S.B. No. 1716

A BILL TO BE ENTITLED

AN ACT

relating to the governance of certain 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:

(1) a tenant of a public project over which the housing authority has jurisdiction; or

(2) a person who is a recipient of housing assistance administered through the authority's housing choice voucher program.

SECTION 2. Section 392.0331, Local Government Code, is amended by amending Subsections (b), (g), and (h) and adding Subsections (b-2) and (h-1) 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. Except as provided by Subsection (b-2), in [In] appointing commissioners under Section 392.031, a municipality with a municipal housing authority composed of seven or more commissioners shall appoint at least two commissioners to the

1 authority who are tenants of a public housing project over which the
2 authority has jurisdiction.

3 (b-2) In appointing commissioners under Section 392.031, a
4 municipality that has a population over two million and a municipal
5 housing authority composed of seven or more commissioners shall
6 appoint at least two commissioners to the authority who are:

7 (1) tenants of a public housing project over which the
8 authority has jurisdiction; or

9 (2) recipients of housing assistance administered
10 through the authority's housing choice voucher program.

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

13 (1) in any vote or discussion concerning the
14 termination of:

15 (A) the commissioner's occupancy rights in
16 public housing;

17 (B) the commissioner's rights to housing
18 assistance administered through a housing choice voucher program;

19 or

20 (C) the rights of any person related in the first
21 degree by consanguinity to the commissioner with respect to the
22 person's occupancy rights in public housing or right to receive
23 housing assistance administered through a housing choice voucher
24 program; or

25 (2) in a grievance or administrative hearing in which
26 the commissioner or a person related in the first degree by
27 consanguinity to the commissioner is a party.

1 (h) If a commissioner appointed under this section as a
2 tenant of a public housing project ceases to reside in a housing
3 unit operated by the public housing authority during the
4 commissioner's term, a majority of the other commissioners shall
5 decide whether to request that a new commissioner be appointed. A
6 majority of the commissioners may decide to allow the commissioner
7 to serve the remaining portion of the commissioner's term.

8 (h-1) If a commissioner appointed under this section as a
9 recipient of housing assistance administered through the
10 authority's housing choice voucher program ceases to receive that
11 assistance, a majority of the other commissioners shall decide
12 whether to request that a new commissioner be appointed. A majority
13 of the commissioners may decide to allow the commissioner to serve
14 the remaining portion of the commissioner's term.

15 SECTION 3. This Act takes effect September 1, 2015.