

By: Lucio

S.B. No. 2063

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the establishment and administration of the Texas Safe
3 Home Program.

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

5 SECTION 1. The heading to Section 2306.188, Government
6 Code, is amended to read as follows:

7 Sec. 2306.188. ESTABLISHING HOME OWNERSHIP IN DISASTER AREA
8 OR UNDER TEXAS SAFE HOME PROGRAM.

9 SECTION 2. Section 2306.188(a), Government Code, is amended
10 to read as follows:

11 (a) An applicant for federally provided financial
12 assistance administered by the department to repair or rebuild a
13 home damaged by a natural disaster or an applicant for assistance
14 under the Texas Safe Home Program established under Subchapter 00
15 may establish ownership of the home through nontraditional
16 documentation of title. The department shall process an
17 application for that assistance as if the applicant is the record
18 title holder of the affected real property if the applicant
19 provides to the department:

20 (1) on a form prescribed by the department, an
21 affidavit summarizing the basis on which the applicant claims to be
22 the holder of record title or, if applicable, a successor in
23 interest to the holder of record title and stating that:

24 (A) there is no other person entitled to claim

1 any ownership interest in the property; or

2 (B) each person who may be entitled to claim an
3 ownership interest in the property has given consent to the
4 application or cannot be located after a reasonable effort; and

5 (2) other documentation, including tax receipts,
6 utility bills, or evidence of insurance for the home, that
7 indicates that the applicant exercised ownership over the property
8 for the period claimed by the applicant [~~at the time of the natural~~
9 ~~disaster~~].

10 SECTION 3. Chapter 2306, Government Code, is amended by
11 adding Subchapter OO to read as follows:

12 SUBCHAPTER OO. TEXAS SAFE HOME PROGRAM

13 Sec. 2306.10001. TEXAS SAFE HOME PROGRAM. (a) The
14 department shall establish and administer a program to provide
15 financial assistance for the repair of or the demolition and
16 replacement of owner-occupied single-family homes that are in a
17 condition that poses a risk to the health and safety of the
18 occupants.

19 (b) The board shall adopt rules to implement the program
20 described by this section. Rules adopted under this section must
21 establish:

22 (1) a formula that distributes to each uniform state
23 service region appropriated funds by considering publicly
24 available data regarding levels of poverty, levels of substandard
25 housing, and population, including the percentage of population
26 composed of persons with disabilities, elderly persons, and
27 households with children, in each region;

1 (2) detailed criteria for regional administrators to
2 use in determining whether a homeowner is eligible for
3 participation in the program, including a process for documenting
4 the condition of a home in a written report after a physical
5 inspection of the home;

6 (3) requirements for regional administrators to
7 develop and administer priority waitlists for participation in the
8 program;

9 (4) standards for assessing the real property on which
10 a home is located;

11 (5) procedures to ensure compliance with federal
12 national flood insurance program requirements; and

13 (6) extended owner occupancy requirements for new or
14 repaired homes.

15 Sec. 2306.10002. REGIONAL ADMINISTRATOR. In each uniform
16 state service region the department shall attempt to identify a
17 single governmental administrator, including a consortium of
18 councils of government or other governmental entities, or a
19 nonprofit entity to administer the program in all portions of that
20 region. In a uniform state service region in which no administrator
21 is identified, the funds may be awarded to the councils of
22 government in that region pro rata based on population.

23 Sec. 2306.10003. HOMEOWNER ELIGIBILITY. To be eligible for
24 assistance under the program, a homeowner:

25 (1) may not have an annual income that, as determined
26 by the department and when combined with the income of all persons
27 who reside with the homeowner, exceeds 50 percent of the greater of

1 the state or local median household income; and

2 (2) must own and occupy a home, including a
3 manufactured home:

4 (A) as a primary residence for a period of not
5 less than the 180 days preceding the date of the homeowner's
6 application for assistance under this subchapter; and

7 (B) that has, after inspection by the regional
8 administrator, been identified as substandard, in need of repair or
9 replacement, and posing a potential risk to the health and safety of
10 the occupants.

11 Sec. 2306.10004. TEMPORARY RELOCATION. If a homeowner is
12 approved for participation in the program, the regional
13 administrator promptly shall assist the occupants of the home in
14 relocating to temporary housing for a period not to exceed two years
15 pending the repair or replacement of the home. Funds appropriated
16 to the program may be used to provide assistance under this section.
17 Priority waitlists must assign the highest priority to households
18 receiving temporary housing assistance using program funds.

19 Sec. 2306.10005. INSURANCE PROCEEDS. If a homeowner has
20 filed a claim for insurance proceeds associated with damage to the
21 home, any proceeds from the claim must first be used to pay for any
22 covered repair or replacement costs of the home.

23 Sec. 2306.10006. ADMINISTRATIVE COSTS. The department may
24 reserve for payment of administrative expenses not more than 10
25 percent of money received for the program under this subchapter. Of
26 the 10 percent, the department shall determine an appropriate
27 allocation to cover the administrative expenses of regional

1 administrators.

2 SECTION 4. This Act takes effect September 1, 2015.