

By: VanDeaver

H.B. No. 1239

Substitute the following for H.B. No. 1239:

By: Alvarado

C.S.H.B. No. 1239

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the governance of public housing authorities.

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

4 SECTION 1. Section 392.031, Local Government Code, is
5 amended by adding Subsection (b-1) to read as follows:

6 (b-1) A commissioner of the authority must reside in:

7 (1) the area over which the authority has
8 jurisdiction; or

9 (2) an area outside the jurisdiction of the authority,
10 as determined by the municipality.

11 SECTION 2. Section 392.032(b), Local Government Code, is
12 amended to read as follows:

13 (b) A commissioner of the authority must reside in the area
14 over which the authority has jurisdiction [~~may not be an officer or~~
15 ~~employee of the county~~].

16 SECTION 3. Section 392.033, Local Government Code, is
17 amended by adding Subsection (d-1) to read as follows:

18 (d-1) A commissioner of the authority who is appointed under
19 Subsection (a), (b), or (d) must reside in the county the
20 commissioner is appointed to represent. An additional commissioner
21 who is appointed under Subsection (c) may reside in either county in
22 the authority.

23 SECTION 4. Section 392.0331, Local Government Code, is
24 amended by adding Subsection (c-1) to read as follows:

1 (c-1) The commissioners court of a county that has a county
2 housing authority in which the total number of households served by
3 the authority is 150 or fewer is not required to appoint a tenant to
4 the position of commissioner as otherwise required by Subsection
5 (c) if the commissioners court has provided timely notice of a
6 vacancy in the position to all eligible tenants and is unable to
7 fill the position with an eligible tenant before the 60th day after
8 the date the position becomes vacant.

9 SECTION 5. Section 392.038, Local Government Code, is
10 amended to read as follows:

11 Sec. 392.038. OTHER OFFICERS AND EMPLOYEES OF A MUNICIPAL
12 OR COUNTY HOUSING AUTHORITY. (a) A municipal or county housing
13 authority may:

14 (1) employ a secretary, who shall serve as executive
15 director; ~~and~~

16 (2) ~~may~~ employ technical experts and other officers
17 ~~and~~ agents ~~[, and employees, permanent or temporary,]~~ the
18 authority considers necessary.

19 (b) The executive director ~~[authority]~~ shall:

20 (1) hire employees, permanent or temporary; and

21 (2) determine the qualifications, duties, and
22 compensation of those employees ~~[the persons employed].~~

23 SECTION 6. Section 392.0331(a), Local Government Code, is
24 repealed.

25 SECTION 7. (a) The term of a housing authority commissioner
26 who is serving immediately before the effective date of this Act and
27 who becomes ineligible to hold that position because of the changes

1 in law made by this Act expires on the effective date of this Act.

2 (b) As soon as practicable after the effective date of this
3 Act, the appropriate appointing entity shall fill any vacancy in
4 the position of housing authority commissioner that occurs as
5 described by Subsection (a) of this section.

6 SECTION 8. This Act takes effect September 1, 2017.