

By: VanDeaver

H.B. No. 1239

A BILL TO BE ENTITLED

AN ACT

relating to the governance of public housing authorities.

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

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

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

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

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

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

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

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

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

SECTION 4. Section 392.0331, Local Government Code, is 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. Subchapter C, Chapter 392, Local Government
10 Code, is amended by adding Section 392.0332 to read as follows:

11 Sec. 392.0332. QUALIFICATIONS OF COMMISSIONERS. A
12 commissioner of a housing authority must meet the same requirements
13 that apply to a person who seeks to become a tenant of a public
14 housing project and that relate to prohibiting previous criminal
15 activity by the person as a condition for the tenancy, if those
16 requirements were established under federal law or regulation, as
17 that law or regulation existed on May 1, 2017.

18 SECTION 6. Section 392.038, Local Government Code, is
19 amended to read as follows:

20 Sec. 392.038. OTHER OFFICERS AND EMPLOYEES OF A MUNICIPAL
21 OR COUNTY HOUSING AUTHORITY. A municipal or county housing
22 authority may employ a secretary, who shall serve as executive
23 director. The executive director shall [~~and may~~] employ
24 technical experts and other officers, agents, and employees,
25 permanent or temporary, the authority considers necessary. The
26 authority shall determine the qualifications, duties, and
27 compensation of the persons employed.

1 SECTION 7. Section 392.0331(a), Local Government Code, is
2 repealed.

3 SECTION 8. (a) The term of a housing authority commissioner
4 who is serving immediately before the effective date of this Act and
5 who becomes ineligible to hold that position because of the changes
6 in law made by this Act expires on the effective date of this Act.

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

11 SECTION 9. This Act takes effect September 1, 2017.