

BILL ANALYSIS

Senate Research Center
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H.B. 2529
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Intergovernmental Relations
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 2529 helps ensure the public voice on local housing authorities is preserved. This bill does so by expanding the pool of who may serve as the public member on a local housing authority to ensure these authorities can comply with the public member requirement in law.

Under current law, one or two members of a housing authority commission (depending on the size of the commission) are required to be tenants of public housing. Given Housing and Urban Development's expanded use of rental assistance programs in projects that are rehabilitated, rather than simply building new housing, the pool of eligible individuals who can serve on housing authority commissions has narrowed, causing difficulty for these commissions to meet the requirements of statute. H.B. 2529 addresses this issue by recognizing this change in how affordable housing is financed and adjusts the statute accordingly.

H.B. 2529 amends current law relating to the governance of public housing authorities.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 392.032(b), Local Government Code, as follows:

(b) Authorizes a commissioner of a county housing authority to be:

- (1) a tenant of a public project over which the housing authority has jurisdiction;
or
- (2) a recipient of housing assistance administered through the authority's housing choice voucher program or project-based rental assistance program.

SECTION 2. Amends Section 392.033(a), Local Government Code, as follows:

(a) Authorizes a commissioner of a regional housing authority to be:

- (1) a tenant of a public project over which the housing authority has jurisdiction;
or
- (2) a recipient of housing assistance administered through the authority's housing choice voucher program or project-based rental assistance program.

SECTION 3. Amends the heading to Section 392.0331, Local Government Code, to read as follows:

Sec. 392.0331. APPOINTMENT OF TENANT REPRESENTATIVE OR CERTAIN OTHER RECIPIENTS OF HOUSING ASSISTANCE AS COMMISSIONER OF MUNICIPAL, COUNTY, OR REGIONAL HOUSING AUTHORITY.

SECTION 4. Amends Sections 392.0331(b), (b-1), (c), and (d), Local Government Code, as follows:

(b) Requires a municipality with a municipal housing authority composed of five commissioners, except as provided by Subsection (b-1), in appointing commissioners under Section 392.031 (Appointment of Commissioners of a Municipal Housing Authority), to appoint at least one commissioner to the authority who is a tenant of a public housing project over which the authority has jurisdiction or who is a recipient of housing assistance administered through the authority's housing choice voucher program or project-based rental assistance program, rather than requiring a municipality with a municipal housing authority composed of five commissioners, except as provided by Subsections (b-1) and (b-2) (relating to providing that this subsection applies only to a municipality that has a population over 600,000 and is located adjacent to the international border of this state), in appointing commissioners under Section 392.031, to appoint at least one commissioner to the authority who is a tenant of a public housing project over which the authority has jurisdiction. Requires a municipality with a municipal housing authority composed of seven or more commissioners, in appointing commissioners under Section 392.031, to appoint at least two commissioners to the authority who are tenants of a public housing project over which the authority has jurisdiction or who are recipients of housing assistance administered through the authority's housing choice voucher program or project-based rental assistance program, rather than requiring a municipality with a municipal housing authority composed of seven or more commissioners, except as provided by Subsection (b-3) (relating to requiring a municipality that has a population over two million and a municipal housing authority composed of seven or more commissioners to appoint at least two commissioners to the authority with certain qualifications), in appointing commissioners under Section 392.031, to appoint at least two commissioners to the authority who are tenants of a public housing project over which the authority has jurisdiction.

(b-1) Provides that the presiding officer of the governing body of a municipality that has a municipal housing authority in which the total number of units is 150 or fewer is not required to appoint a tenant or a recipient of housing assistance to the position of commissioner as otherwise required by Subsection (b) if the presiding officer has provided timely notice of a vacancy in the position to all eligible tenants or recipients of housing assistance and is unable to fill the position with an eligible tenant or recipient of housing assistance before the 60th day after the date the position becomes vacant, rather than providing that the presiding officer of the governing body of a municipality that has a municipal housing authority in which the total number of units is 150 or fewer is not required to appoint a tenant to the position of commissioner as otherwise required by Subsection (b) if the presiding officer has provided timely notice of a vacancy in the position to all eligible tenants and is unable to fill the position with an eligible tenant before the 60th day after the date the position becomes vacant.

(c) Requires a county, in appointing commissioners under Section 392.032, to appoint at least one commissioner to a county housing authority who is a tenant of a public housing project over which the county housing authority has jurisdiction or who is a recipient of housing assistance administered through the authority's housing choice voucher program or project-based rental assistance program, rather than who is a tenant of a public housing project over which the county housing authority has jurisdiction

(d) Requires a county or counties comprising a regional housing authority, in appointing commissioners under Section 392.033, to appoint at least one commissioner to a regional housing authority who is a tenant of a public housing project over which the regional housing authority has jurisdiction or who is a recipient of housing assistance administered through the authority's housing choice voucher program or project-based rental assistance program, rather than who is a tenant of a public housing project over which the county housing authority has jurisdiction. Requires the counties, if more than one county comprises a regional housing authority, to agree to a method for appointing to the regional housing authority the member who is a tenant or a recipient of housing

assistance, rather than requiring the counties, if more than one county comprises a regional housing authority, to agree to a method for appointing the tenant member to the regional housing authority.

SECTION 5. Repealer: Section 392.0331(b-2) (relating to providing that this subsection applies only to a municipality that has a population over 600,000 and is located adjacent to the international border of this state), Local Government Code.

Repealer: Section 392.0331(b-3) (relating to requiring a municipality that has a population over two million and a municipal housing authority composed of seven or more commissioners to appoint at least two commissioners to the authority with certain qualifications), Local Government Code.

SECTION 6. Effective date: September 1, 2019.