

By: Lucio

S.B. No. 1118

A BILL TO BE ENTITLED

AN ACT

1
2 relating to programs operated by the Texas Department of Housing
3 and Community Affairs to increase access to safe and affordable
4 housing in this state.

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

6 SECTION 1. Chapter 2306, Government Code, is amended by
7 adding Subchapter EE to read as follows:

8 SUBCHAPTER EE. AMY YOUNG BARRIER REMOVAL PROGRAM

9 Sec. 2306.6801. DEFINITIONS. In this subchapter:

10 (1) "Person with a disability" means a person with one
11 or more documented physical or mental impairments, or who is
12 regarded as having one or more physical or mental impairments, that
13 substantially limit the person's ability to perform major life
14 activities.

15 (2) "Program" means the Amy Young Barrier Removal
16 Program established under this subchapter.

17 (3) "Program administrator" means an entity certified
18 by the department to administer services under the program,
19 including:

20 (A) a local governmental entity;

21 (B) a council of governments;

22 (C) a nonprofit organization;

23 (D) a local mental health authority; and

24 (E) a public housing authority.

1 Sec. 2306.6802. ESTABLISHMENT OF PROGRAM. (a) The
2 department shall establish the Amy Young Barrier Removal Program to
3 provide grants for modifying the home in which a person with a
4 disability lives to:

- 5 (1) increase the accessibility of the home;
- 6 (2) eliminate life-threatening hazards in the home; or
- 7 (3) correct unsafe living conditions in the home.

8 (b) A grant awarded under the program may not exceed
9 \$20,000.

10 (c) The department may adopt rules as necessary to implement
11 this subchapter.

12 Sec. 2306.6803. ELIGIBILITY. (a) A grant recipient must:

- 13 (1) be a tenant, homeowner, or other member of a
14 household in which a person with a disability lives; and
- 15 (2) meet the eligibility requirements of this section.

16 (b) To be eligible for a grant under the program, the income
17 of the household for which a grant is sought may not exceed the
18 greater of 80 percent of the area median family income or 80 percent
19 of the statewide income limits, adjusted for household size, as
20 determined annually by the United States Department of Housing and
21 Urban Development.

22 (c) The department may adopt other eligibility requirements
23 that are deemed appropriate by the department.

24 Sec. 2306.6804. PROGRAM ADMINISTRATION. (a) The
25 department may certify a program administrator to:

- 26 (1) process applications for a grant;
- 27 (2) verify eligibility of a grant applicant;

1 (3) secure construction contractors to renovate or
2 rehabilitate a home under the program; and

3 (4) oversee the renovation or rehabilitation of a home
4 under the program.

5 (b) The department by rule shall adopt procedures for the
6 certification of a program administrator.

7 (c) An entity that receives funding under the federal HOME
8 Investment Partnership Program may not serve as a program
9 administrator.

10 Sec. 2306.6805. FUNDING. (a) The department shall award
11 grants under the program using:

12 (1) gifts, grants, or donations solicited by the
13 department for purposes of this subchapter; and

14 (2) money in the barrier removal grant fund
15 established under Section 2306.6806.

16 (b) In a state fiscal year, the department may use not more
17 than 10 percent of the revenue available for purposes of this
18 subchapter to increase the ability of program administrators to
19 assist the department in implementing the purposes of this chapter
20 and to increase the number of entities that are able to implement
21 those purposes. The department shall use available revenue under
22 this subsection to provide financial assistance, technical
23 training, and management support for the purposes of this
24 subsection.

25 Sec. 2306.6806. BARRIER REMOVAL GRANT FUND. (a) The
26 department shall establish the barrier removal grant fund in the
27 department. Money in the fund may be used only for the purpose of

1 awarding grants under the program.

2 (b) Each year, the department shall transfer not less than
3 \$3 million to the barrier removal grant fund from money received by
4 the department from federal block grants, money from the housing
5 trust fund established under Section 2306.201, not including money
6 specifically allocated under Section 2306.758(d) as part of the
7 owner-builder loan program, or money appropriated to the department
8 by the legislature for the purposes of this subchapter.

9 SECTION 2. Section 2306.753(b), Government Code, is amended
10 to read as follows:

11 (b) To be eligible for a loan under this subchapter, an
12 owner-builder:

13 (1) may not have an annual income that exceeds 80 [~~60~~]
14 percent, as determined by the department, of the greater of the
15 state or local median family income, when combined with the income
16 of any person who resides with the owner-builder;

17 (2) must have resided in this state for the preceding
18 six months;

19 (3) must have successfully completed an owner-builder
20 education class under Section 2306.756; and

21 (4) must agree to:

22 (A) provide through personal labor at least 65
23 percent of the labor necessary to build or rehabilitate the
24 proposed housing by working through a state-certified
25 owner-builder housing program;

26 (B) provide an amount of personal labor
27 equivalent to the amount required under Paragraph (A) in connection

1 with building or rehabilitating housing for others through a
2 state-certified owner-builder housing program;

3 (C) provide through the noncontract labor of
4 friends, family, or volunteers and through personal labor at least
5 65 percent of the labor necessary to build or rehabilitate the
6 proposed housing by working through a state-certified
7 owner-builder housing program; or

8 (D) if due to documented disability or other
9 limiting circumstances as defined by department rule the
10 owner-builder cannot provide the amount of personal labor otherwise
11 required by this subdivision, provide through the noncontract labor
12 of friends, family, or volunteers at least 65 percent of the labor
13 necessary to build or rehabilitate the proposed housing by working
14 through a state-certified owner-builder housing program.

15 SECTION 3. Section 2306.758(d), Government Code, is amended
16 to read as follows:

17 (d) All money received by the department as part of the
18 owner-builder loan program under this subchapter, including any
19 amount received by the department for payment of the principal of or
20 interest on a loan made under this subchapter, shall be deposited in
21 the housing trust fund established under Section 2306.201 to be
22 used to carry out the purposes of this subchapter. If the money to
23 be received by the department for a state fiscal year for payment of
24 the principal of or interest on a loan made under this subchapter is
25 less than \$7 [~~\$3~~] million for a state fiscal year, the department
26 shall use any available source of money in the housing trust fund to
27 ensure that not less than \$7 [~~\$3~~] million is used for the

1 owner-builder loan program each state fiscal year.

2 SECTION 4. As soon as practicable after the effective date
3 of this Act, the Texas Department of Housing and Community Affairs
4 shall adopt rules as necessary to implement Subchapter EE, Chapter
5 2306, Government Code, as added by this Act.

6 SECTION 5. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2019.