

BILL ANALYSIS

C.S.H.B. 2045
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Urban Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Over 77 million U.S. citizens reached the age of 65 in 2012, and at least 1.5 million of that number are known to be lesbian, gay, bisexual, transgender, queer, or questioning, a number expected to double by 2030. Despite the size of this population, concerns have been raised that, due to housing inequities, elderly members of the Texas LGBTQ community are having to go back into the closet many of them spent their lives trying to escape. As these Texans have aged, they have been forced to move into retirement homes, many faith based, where they feel their sexuality is not welcome. Many of them are afraid to put out photos of partners or have discouraged friends from visiting.

Texas currently has no housing discrimination protections for LGBTQ individuals, meaning that they can be legally evicted or denied tenancy based on sexual orientation or gender identity. For older adults, especially those who are transgender, downsizing or moving after the loss of a partner can sometimes also mean going back into the closet for fear of not being accepted in their new place of residence.

C.S.H.B. 2045 seeks to address these issues by establishing a task force to evaluate the housing needs of LGBTQ senior citizens and to develop safe, affordable housing solutions to address those needs.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2045 establishes a task force to evaluate the housing needs of senior citizens who are lesbian, gay, bisexual, transgender, queer, or questioning and to develop potential housing solutions to address those needs and provide to those senior citizens safe, affordable housing options. The bill requires the task force, in conducting the evaluation, to assess the evolving housing needs of senior citizens who may need to transition into a long-term care facility, including an assisted living facility or a nursing facility.

C.S.H.B. 2045 requires the task force, not later than September 1, 2022, to prepare and submit to the governor, the lieutenant governor, the legislature, and the Texas Department of Housing and Community Affairs a written report summarizing the results of the evaluation and proposing potential housing solutions, including any legislative recommendations.

C.S.H.B. 2045 provides for the task force's composition and operation and sets a deadline of November 1, 2021 for the appointment of applicable members. The task force is abolished and the bill's provisions expire December 1, 2022.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2045 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute requires the governor, lieutenant governor, and speaker of the house of representatives to each appoint three task force members, whereas the original requires the governor to appoint all nine of the appointed members. The substitute retains the original's other criteria for those appointments.

The substitute includes the lieutenant governor as a recipient of the task force's report, whereas the original does not.