

## **BILL ANALYSIS**

Senate Research Center

S.B. 646  
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Local Government  
3/17/2021  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

In February of 2021, the Austin City Council announced their plan to purchase a hotel in southern Williamson County where they will relocate homeless individuals from Austin's central business district. The plan was set in motion without notifying Williamson County officials, or detailing how the City of Austin intends to provide necessary support and resources such as healthcare, transportation, mental health services, job training programs, or security.

In order to provide for the homeless population in Austin and to address the City's failed policies, we must require coordination between cities and counties to ensure appropriate resources and programs are available to individuals in need. A regional approach is absolutely necessary to address the growing homelessness problem in central Texas. It is not possible for any City to simply export their problems to another area as the root of the problem must be examined and addressed to provide a real solution.

S.B. 646 requires a city council in the state of Texas that plans to purchase a building to house the homeless to submit a plan to the local county commissioners court for approval.

The plan must include provisions for: local healthcare, including access to Medicaid; indigent resources; reasonably affordable public transit; mental health services; local law enforcement; plans to coordinate with the local mental health authority; and any other reasonable requests for additional information from the county commissioners court.

The city shall:

Post notice of the proposed use of the property at the property not later than the 61st day before the proposed date of purchase or conversion; and

Publish notice for 10 consecutive days in a newspaper of general circulation in the county with the first not later than the 61st day before the date of purchase or conversion.

As proposed, S.B. 646 amends current law relating to requiring county approval of a proposed purchase or conversion by a municipality of a property to house homeless individuals.

### **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 211.003(a), Local Government Code, to create an exception under Subchapter C, Chapter 244 (Location of Certain Facilities and Shelters), to the authority of the governing body of a municipality to regulate certain factors related to zoning. Makes a nonsubstantive change.

SECTION 2. Amends Chapter 244, Local Government Code, by adding Subchapter C, as follows:

SUBCHAPTER C. MUNICIPAL PURCHASE OR USE CONVERSION OF PROPERTY TO  
HOUSE HOMELESS INDIVIDUALS

Sec. 244.041. COUNTY APPROVAL. (a) Prohibits a municipality from purchasing a property to house homeless individuals unless the commissioners court of the county in which the property is located approves a plan as described by Section 244.042(b).

(b) Prohibits a municipality from converting the use of a property owned by the municipality to enable the property to house homeless individuals unless the commissioners court of the county in which the property is located approves a plan as described by Section 244.042(b).

Sec. 244.042. PLAN REQUIREMENTS. (a) Defines "proposed new residents."

(b) Requires that a plan required by Section 244.041 describe:

(1) the availability of local health care for proposed new residents, including access to Medicaid services and mental health services;

(2) the availability of indigent services for proposed new residents;

(3) the availability of reasonably affordable public transportation for proposed new residents;

(4) local law enforcement resources in the area of the property; and

(5) what steps the municipality has taken to coordinate with the local mental health authority to provide for any proposed new residents.

(c) Requires that a municipality respond to any reasonable requests for additional information made by the commissioners court regarding the proposed property purchase or use conversion.

Sec. 244.043. NOTICE. Requires a municipality that intends to purchase or convert a property to house homeless individuals to post notice of the proposed use of the property at the property not later than the 61st day before the proposed date of purchase or conversion, and to publish notice of the proposed purchase or conversion of the property for 10 consecutive days in a newspaper of general circulation in the county in which the property is located, with the first day being not later than the 61st day before the proposed date of purchase or conversion.

SECTION 3. Provides that the changes in law made by this Act apply only to a municipal purchase or use conversion described by Subchapter C, Chapter 244, Local Government Code, as added by this Act, that is not final on the effective date of this Act. Provides that a municipal purchase or use conversion that was final before the effective date of this Act is governed by the law in effect when the municipal purchase or use conversion was completed, and the former law is continued in effect for that purpose.

SECTION 4. Effective date: upon passage or September 1, 2021.