

BILL ANALYSIS

Senate Research Center

S.B. 796
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Local Government
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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.

A regional approach is absolutely necessary to address the growing homelessness problem in Central Texas. Without communication between city officials, county officials, and local residents, it is impossible to ensure adequate services and support will be available for at-risk populations.

S.B. 796 requires notice from a city that purchases a homeless housing unit. The city must hold a public hearing before approving the project. The bill also requires the city to deliver notice via certified mail to every resident within a two mile radius within 36 hours of approving the project.

As proposed, S.B. 796 amends current law relating to requiring public notice and a hearing concerning 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 252.002, Local Government Code, as follows:

Sec. 252.002. New heading: MUNICIPAL CHARTER CONTROLS IN MOST CASES OF CONFLICT; EXCEPTION. (a) Creates this subsection from existing text. Creates an exception under Subsection (b) and makes a nonsubstantive change.

(b) Provides that Section 252.0412 controls over any conflicting provisions of the charter of a home-rule municipality.

SECTION 2. Amends Subchapter C, Chapter 252, Local Government Code, by adding Section 252.0412, as follows:

Sec. 252.0412. SPECIAL HEARING AND NOTICE REQUIREMENTS FOR PURCHASE OR CONVERSION OF PROPERTY TO HOUSE HOMELESS INDIVIDUALS. (a) Requires a municipality to hold a public hearing concerning a property that it proposes to purchase for the purpose of housing homeless individuals or convert for the purpose of housing homeless individuals.

(b) Requires that the hearing under Subsection (a) be held before the municipality approves the purchase or conversion.

(c) Requires a notice of a hearing required under this section be provided to every residence located within two miles of the property that is proposed to be

purchased for the purpose of housing homeless individuals or converted for the purpose of housing homeless individuals.

(d) Requires that the notice provided under Subsection (c) be delivered via certified mail not later than 36 hours before the hearing begins.

(e) Authorizes an individual who is entitled to notice under Subsection (c) to petition a district court in the county in which the property is located for injunctive relief, if a municipality fails to comply with this section.

SECTION 3. Provides that the changes in law made by this Act apply only to a municipal purchase or use conversion described by Section 252.0412, 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.