

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 796
By: Schwertner et al.
Local Government
3/30/2021
Committee Report (Substituted)

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.

(Original Author/Sponsor's Statement of Intent)

C.S.S.B. 796 amends current law relating to hearing and public notice requirements regarding the purchase or conversion by a municipality of 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 Subtitle A, Title 8, Local Government Code, by adding Chapter 255, as follows:

CHAPTER 255. PURCHASE OR CONVERSION OF PROPERTY FOR CERTAIN PURPOSES

Sec. 255.001. SPECIAL HEARING AND NOTICE REQUIREMENTS FOR PURCHASE OR CONVERSION OF PROPERTY TO HOUSE HOMELESS INDIVIDUALS. (a) Prohibits the governing body of a municipality from approving the purchase of a property or the conversion of a property under the municipality's control for the purpose of providing housing to homeless individuals unless the governing body holds a public hearing before the purchase or conversion of the property for that purpose. Requires that the hearing be held at a location within a two-mile radius of the property.

(b) Requires the governing body of a municipality, not later than 36 hours before a public hearing required under Subsection (a) is held, to provide notice of the hearing by certified mail to each residence located within a two-mile radius of the property the municipality proposes to purchase or convert for a purpose described by that subsection.

(c) Authorizes an individual who is entitled to notice under Subsection (b), if the governing body of a municipality fails to comply with this section, to bring action

in a district court in the county in which the property described by that subsection is located for injunctive relief to prevent the purchase or conversion of the property.

(d) Provides that this chapter controls in the event of a conflict between this chapter and any provision in the charter of a municipality relating to the purchase or conversion or notice of the purchase or conversion of a property for a purpose described by Subsection (a).

SECTION 2. Provides that Chapter 255, Local Government Code, as added by this Act, applies only to the purchase or conversion of property described by Section 255.001(a), Local Government Code, as added by this Act, that becomes final on or after the effective date of this Act.

SECTION 3. Effective date: upon passage or September 1, 2021.