

By: Schwertner, Bettencourt  
Buckingham

S.B. No. 646

A BILL TO BE ENTITLED

AN ACT

relating to county approval of certain proposed purchases or conversions of properties to house homeless individuals.

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

SECTION 1. Chapter 233, Local Government Code, is amended by adding Subchapter G to read as follows:

SUBCHAPTER G. APPROVAL FOR PURCHASE OR USE CONVERSION OF PROPERTY  
TO HOUSE HOMELESS INDIVIDUALS

Sec. 233.201. COUNTY APPROVAL. (a) A political subdivision may not purchase or contract with a private entity to purchase property to house homeless individuals unless the commissioners court of the county in which the property is located approves a plan described by Section 233.202(b).

(b) A political subdivision may not convert or contract with a private entity to convert the use of a property owned by the political subdivision or private entity to enable the property to house homeless individuals unless the commissioners court of the county in which the property is located approves a plan that meets the requirements of Section 233.202(b).

Sec. 233.202. PLAN REQUIREMENTS. (a) In this section, "proposed new residents" means homeless individuals the applicant intends to house at the purchased or converted property.

(b) A plan required by Section 233.201 must describe:

(1) the availability of local health care for proposed

1 new residents, including access to Medicaid services and mental  
2 health services;

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

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

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

9 (5) the steps the applicant has taken to coordinate  
10 with the local mental health authority to provide for any proposed  
11 new residents.

12 (c) An applicant shall respond to reasonable requests for  
13 additional information made by the commissioners court regarding  
14 the proposed property purchase or use conversion.

15 Sec. 233.203. NOTICE. A political subdivision that intends  
16 to purchase or convert or to contract with a private entity for the  
17 purchase or conversion of property to house homeless individuals  
18 shall:

19 (1) post notice of the proposed use of the property at  
20 the property not later than the 61st day before the proposed date of  
21 purchase or conversion; and

22 (2) publish notice of the proposed purchase or  
23 conversion of the property for 10 consecutive days in a newspaper of  
24 general circulation in the county in which the property is located,  
25 with the first day being not later than the 61st day before the  
26 proposed date of purchase or conversion.

27 Sec. 233.204. EXCEPTION. This subchapter does not apply to

1 the purchase or use conversion of a property to provide temporary  
2 shelter or housing during a natural disaster, declared state of  
3 emergency, or other life-threatening public emergency.

4         SECTION 2. The changes in law made by this Act apply only to  
5 a purchase or use conversion described by Subchapter G, Chapter  
6 233, Local Government Code, as added by this Act, that is not final  
7 on the effective date of this Act. A purchase or use conversion  
8 that was final before the effective date of this Act is governed by  
9 the law in effect when the purchase or use conversion was completed,  
10 and the former law is continued in effect for that purpose.

11         SECTION 3. This Act takes effect immediately if it receives  
12 a vote of two-thirds of all the members elected to each house, as  
13 provided by Section 39, Article III, Texas Constitution. If this  
14 Act does not receive the vote necessary for immediate effect, this  
15 Act takes effect September 1, 2021.