By:  Lopez of Bexar H.B. No. 5255

A BILL TO BE ENTITLED

AN ACT

relating to the collection and publication of data on affordable housing by municipalities.

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

SECTION 1.  Subtitle A, Title 12, Local Government Code, is amended by adding Chapter 381, to read as follows:

CHAPTER 381. COLLECTION AND PUBLICATION OF DATA ON AFFORDABLE HOUSING AVAILABILITY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 381.001.  PURPOSE. The purpose of this chapter is to:

(1)  empower residents in need of affordable housing with a greater awareness of available affordable housing options; and

(2)  provide more standardized, transparent, and easily accessible affordable housing data to municipal governments, residents, and private entities; and

(3)  promote economic development and equitable access to affordable housing availability.

Sec. 381.002.  DEFINITIONS. In this chapter:

(1)  "affordable housing unit" means:

(A)  an income-restricted housing unit, such as:

(i)  income-restricted housing, including housing offered by the United States Department of Housing and Urban Development;

(ii)  public housing;

(iii)  housing obtained with a voucher provided through the housing choice voucher program under Section 8, United States Housing Act of 1937 (42 U.S.C. Section 1437f);

(iv)  permanent supportive housing provided by the Health and Human Services Commission;

(v)  service-enriched housing provided by the Texas Department of Housing and Community Affairs;

(vi)  housing provided by an affordable housing initiative operated by a municipality; and

(vii)  rental units not described by Subdivisions (i)-(vi) for which rent is not more than 30 percent of the lowest household income quartile in a municipality.

(2)  "public information" has the meaning assigned by Section 552.002, Government Code.

Sec. 381.003.  APPLICABILITY. This chapter applies only to municipalities with a total population of 100,000 or more.

SUBCHAPTER B. COLLECTION AND PUBLICATION OF DATA

Sec. 381.051.  REQUIREMENT OF ANNUAL SURVEY. (a) The municipality shall conduct no less frequently than once per calendar year a survey of all affordable housing units within its jurisdiction and shall create a complete list of affordable housing units and maintain that data within a cloud-based data repository that allows for real-time updates of the housing data by approved users.

(b)  For each unit in the list of affordable housing units described in Subsection (a), the municipality will also record the following characteristics, as applicable:

(1)  the monthly rent amount organized by unit type and corresponding average median income (AMI) restriction;

(2)  cost of basic utilities not included in the monthly rent amount;

(3)  eligibility requirements for tenants, including but not limited to those laid out in Section 2306.004(15)-(17), Government Code;

(4)  the length of any waiting list;

(5)  distance to essential services;

(6)  distance to community spaces, such as public parks or community centers;

(7)  any social services provided for tenants, including but not limited to those included in the Permanent Supportive Housing Program as defined in 42 U.S.C. Section 11381-11389 and Texas multifamily programs governed by the Uniform Multifamily Rules and applicable provisions of the Qualified Allocation Plan administered by the Texas Department of Housing and Community affairs under section 10.619 of the Texas Administrative Code; and

(8)  a phone number, mailing address, and electronic mail address for the current property manager to inquire about renting the unit.

(c)  The municipality may use information collected in previous surveys conducted in accordance with Subsection (a) or other information the municipality may have on record, provided that the municipality confirms such information is up to date.

(d)  Any state agency may contact a municipality for the purpose of requesting any of the information outlined in this Section regarding affordable housing units within the municipality's jurisdiction and the municipality shall provide all pertinent public information in the municipality's records to the state agency.

Sec. 381.052.  PUBLICATION OF DATA. (a) The municipality shall create a publicly available Internet web application and publically available mobile application or utilize an existing publicly accessible Internet web application and publically available mobile application to make available all public information collected in the survey outlined in Section 381.051 such that:

(1)  prospective tenants can search for individual affordable housing units and sort them according to the characteristics outlined in Section 381.051(b); and

(2)  the complete survey data set as referenced in Sec. 381.051(a) are available to review.

(b)  The municipality shall update the Internet web application and database described in Subsection (a) as frequently as new public information outlined in Section 381.051 becomes available to the municipality.

SECTION 2.  Section 371.001(a), Local Government Code, is amended to read as follows:

(a)  The governing body of a municipality with a population of 900,000 or less may appropriate from its general fund an amount not to exceed one percent of the general fund budget for that year for the purpose of:

(1)  advertising the municipality and promoting its growth and development[~~.~~]; and

(2)  promoting awareness of affordable housing options within the municipality, including by promoting the Internet website outlined in Section 381.052, Local Government Code.

SECTION 3.  Section 371.021(a), Local Government Code, is amended to read as follows:

(a)  The governing body of a general-law municipality may appropriate from its general fund an amount not to exceed five cents per $100 assessed valuation for the purpose of:

(1)  advertising the municipality and promoting its growth and development[~~.~~]; and

(2)  promoting awareness of affordable housing options within the municipality, including by promoting the Internet web application and mobile application outlined in Section 381.052, Local Government Code.

SECTION 4.  This Act takes effect September 1, 2023