

BILL ANALYSIS

Senate Research Center
89R9539 JG-D

S.B. 732
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Health & Human Services
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Senior residents in multifamily housing developments may face serious health and safety risks during power outages if elevators and climate control systems become inoperable. During a prolonged power outage, residents living on upper floors may be unable to leave their units if elevators are not functioning. Additionally, extreme temperatures due to a lack of heating or cooling can pose severe health risks, especially for elderly individuals.

Multifamily residential developments for seniors that receive low-income housing tax credits should be required to have backup power sources to ensure elevator operation and maintain a safe indoor temperature during power outages.

S.B. 732 mandates that housing developments that receive Texas Department of Housing and Community Affairs (TDHCA) credits install generators or alternative power sources to operate elevators providing the only access to residential units and to maintain at least one designated climate-controlled space between 68 and 82 degrees Fahrenheit. TDHCA will enforce these requirements and may establish rules for implementation, ensuring the safety and well-being of senior residents during emergencies.

As proposed, S.B. 732 amends current law relating to required generators or other power sources for certain housing developments that receive an allocation of low income housing tax credits.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Department of Housing and Community Affairs in SECTION 1 (Section 2306.6741, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter DD, Chapter 2306, Government Code, by adding Section 2306.6741, as follows:

Sec. 2306.6741. GENERATOR OR OTHER POWER SOURCE REQUIRED. (a) Provides that this section applies only to a development that has received an allocation of low income housing tax credits under Subchapter DD (Low Income Housing Tax Credit Program) and is a multifamily residential development whose residential units are reserved for individuals 55 years of age and older.

(b) Requires the Texas Department of Housing and Community Affairs (TDHCA) to require each development to which this section applies to be equipped with a generator or other power source capable of operating each elevator in the development that provides the only point of access to an area of the development containing residential units and powering an HVAC system capable of maintaining the air temperature in at least one enclosed area of the development between 68 and 82 degrees Fahrenheit during a power outage.

(c) Authorizes TDHCA to adopt rules to implement this section.

SECTION 2. (a) Defines "development."

(b) Requires TDHCA to ensure that each development is in compliance with Section 2306.6741, Government Code, as added by this Act, not later than December 31, 2026. Authorizes TDHCA to establish a process to carry out this subsection in phases.

(c) Requires TDHCA, not later than March 1, 2027, to prepare and submit to the legislature a written report on the overall number of developments in compliance with Section 2306.6741, Government Code, as added by this Act and for any development that is not in compliance with that section, the reason for the noncompliance and any actions taken by TDHCA to ensure compliance with that section.

SECTION 3. Effective date: September 1, 2025.