

By: Miles

S.B. No. 732

A BILL TO BE ENTITLED

AN ACT

relating to required generators or other power sources for certain housing developments that receive an allocation of low income housing tax credits.

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

SECTION 1. Subchapter DD, Chapter 2306, Government Code, is amended by adding Section 2306.6741 to read as follows:

Sec. 2306.6741. GENERATOR OR OTHER POWER SOURCE REQUIRED.

(a) This section applies only to a development that:

(1) has received an allocation of low income housing tax credits under this subchapter; and

(2) is a multifamily residential development whose residential units are reserved for individuals 55 years of age and older.

(b) The department shall require each development to which this section applies to be equipped with a generator or other power source capable of:

(1) operating each elevator in the development that provides the only point of access to an area of the development containing residential units; and

(2) 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) The department may adopt rules to implement this

1 section.

2 SECTION 2. (a) In this section, "development" means a
3 development to which Section 2306.6741, Government Code, as added
4 by this Act, applies.

5 (b) The Texas Department of Housing and Community Affairs
6 shall ensure that each development is in compliance with Section
7 2306.6741, Government Code, as added by this Act, not later than
8 December 31, 2026. The department may establish a process to carry
9 out this subsection in phases.

10 (c) Not later than March 1, 2027, the Texas Department of
11 Housing and Community Affairs shall prepare and submit to the
12 legislature a written report on:

13 (1) the overall number of developments in compliance
14 with Section 2306.6741, Government Code, as added by this Act; and

15 (2) for any development that is not in compliance with
16 that section, the reason for the noncompliance and any actions
17 taken by the department to ensure compliance with that section.

18 SECTION 3. This Act takes effect September 1, 2025.