

By: Moody

H.B. No. 1277

A BILL TO BE ENTITLED

AN ACT

relating to the governance of certain housing authorities.

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

SECTION 1. Section 392.031(b), Local Government Code, is amended to read as follows:

(b) A commissioner may not be an officer or employee of the municipality. A commissioner may be:

(1) a tenant of a public project over which the housing authority has jurisdiction; or

(2) a ~~[person who is a]~~ recipient of housing assistance administered through the authority's housing choice voucher program or project-based rental assistance program.

SECTION 2. Section 392.0331, Local Government Code, is amended by amending Subsections (b), (b-2), (g), and (h-1) and adding Subsection (b-3) to read as follows:

(b) Except as provided by Subsections ~~[Subsection]~~ (b-1) and (b-2), in appointing commissioners under Section 392.031, a municipality with a municipal housing authority composed of five commissioners shall appoint at least one commissioner to the authority who is a tenant of a public housing project over which the authority has jurisdiction. Except as provided by Subsection (b-3) ~~[(b-2)]~~, in appointing commissioners under Section 392.031, a municipality with a municipal housing authority composed of seven or more commissioners shall appoint at least two commissioners to

1 the authority who are tenants of a public housing project over which
2 the authority has jurisdiction.

3 (b-2) This subsection applies only to a municipality that
4 has a population over 600,000 and is located adjacent to the
5 international border of this state. In appointing commissioners
6 under Section 392.031, a municipality described by this subsection
7 that has a municipal housing authority composed of five
8 commissioners shall appoint at least one commissioner to the
9 authority who is:

10 (1) a tenant of a public housing project over which the
11 authority has jurisdiction; or

12 (2) a recipient of housing assistance administered
13 through the authority's housing choice voucher program or
14 project-based rental assistance program.

15 (b-3) In appointing commissioners under Section 392.031, a
16 municipality that has a population over two million and a municipal
17 housing authority composed of seven or more commissioners shall
18 appoint at least two commissioners to the authority who are:

19 (1) tenants of a public housing project over which the
20 authority has jurisdiction; or

21 (2) recipients of housing assistance administered
22 through the authority's housing choice voucher program.

23 (g) A commissioner appointed under this section may not
24 participate:

25 (1) in any vote or discussion concerning the
26 termination of:

27 (A) the commissioner's occupancy rights in

1 public housing;

2 (B) the commissioner's rights to housing
3 assistance administered through a housing choice voucher program or
4 a project-based rental assistance program; or

5 (C) the rights of any person related in the first
6 degree by consanguinity to the commissioner with respect to the
7 person's occupancy rights in public housing or right to receive
8 housing assistance administered through a housing choice voucher
9 program or a project-based rental assistance program; or

10 (2) in a grievance or administrative hearing in which
11 the commissioner or a person related in the first degree by
12 consanguinity to the commissioner is a party.

13 (h-1) If a commissioner appointed under this section as a
14 recipient of housing assistance administered through the
15 authority's housing choice voucher program or project-based rental
16 assistance program ceases to receive that assistance, a majority of
17 the other commissioners shall decide whether to request that a new
18 commissioner be appointed. A majority of the commissioners may
19 decide to allow the commissioner to serve the remaining portion of
20 the commissioner's term.

21 SECTION 3. This Act takes effect September 1, 2017.