

## **BILL ANALYSIS**

H.B. 875  
By: Lopez  
Business & Industry  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Concerns have been raised that, since age is not included among the categories protected from housing discrimination under the federal Fair Housing Act or the Texas Fair Housing Act, many older individuals who need to move into a group, shared, or apartment home may find themselves with limited housing options. Additionally, these individuals may require that physical accommodations be made to a living space or complex that are unrelated to any disabilities they may have, which may further hinder their housing options. H.B. 875 seeks to address this issue by including discrimination based on age or housing needs as a form of housing discrimination prohibited under the Texas Fair Housing Act.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 875 amends the Property Code to include discrimination based on age or housing needs as a form of housing discrimination prohibited under the Texas Fair Housing Act. The bill defines "age" as 65 years of age or more and "housing needs" as the housing needs of an individual as a result of the individual's age, including the need to move into a group, shared, or apartment home that is regulated under the act.

H.B. 875 includes a religion whose membership is restricted because of sex, disability, familial status, age, or housing needs among the religions excepted from the specification that the act does not prohibit certain religious entities from giving preference to persons of the same religion. The bill includes age and housing needs among the factors that a person engaged in the business of furnishing appraisals of real property is prohibited from considering in those appraisals.

H.B. 875 prohibits the Texas Workforce Commission from deferring proceedings and referring a complaint alleging violation of the act to a municipality in which the alleged discrimination occurred if the complaint alleges discrimination based on age or housing needs and the municipality does not have laws prohibiting the alleged discrimination. The bill includes intentional intimidation or interference with a person by force or threat of force under certain circumstances because of age or housing needs as conduct that constitutes the Class A misdemeanor offense of intimidation or interference under the act.

### **EFFECTIVE DATE**

September 1, 2021.