

BILL ANALYSIS

Senate Research Center

S.B. 1852
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As Filed

DIGEST

Currently, Texas law does not provide an agency that evaluates state and local regulations to identify those who limit the availability of housing. S.B. 1852 would create the Texas Affordable Housing Commission which would evaluate state and local regulations and policies to identify those that unnecessarily increase the cost of constructing or rehabilitating affordable housing. Before each legislative session, the commission would submit a report to the legislature that includes the statewide housing policy, a list of state and local regulations that unnecessarily increase the cost of housing, and legislative recommendations for revising those regulations.

PURPOSE

As proposed, S.B. 1852 outlines provisions regarding the creation and operation of the Texas Affordable Housing Commission.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas Affordable Housing Commission Board under SECTION 1 (Section 2310.028, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Title 10G, Government Code, by adding Chapter 2310, as follows:

CHAPTER 2310. TEXAS AFFORDABLE HOUSING COMMISSION

SUBCHAPTER A. GENERAL PROVISIONS; ORGANIZATION OF COMMISSION

Sec. 2310.001. DEFINITIONS. Defines "board" and "commission."

Sec. 2310.002. TEXAS AFFORDABLE HOUSING COMMISSION. Provides that the Texas Affordable Housing Commission (commission) is an agency of this state.

Sec. 2310.003. SUNSET PROVISION. Provides that the Texas Affordable Housing Commission is subject to Chapter 325 (Texas Sunset Act). Provides that unless continued in existence as provided by that chapter, the commission is abolished and this chapter expires September 1, 2001.

Sec. 2310.004. TEXAS AFFORDABLE HOUSING COMMISSION BOARD. Sets forth the composition of the Texas Affordable Housing Commission Board (board). Outlines provisions regarding appointment to the board. Provides that board members serve for staggered terms of six years with the terms of four members expiring on February 1 of each odd-numbered year. Requires the board members to annually elect a board member to serve as presiding officer. Provides that a member is not entitled to compensation but is entitled to reimbursement of expenses incurred by the member while conducting commission business, as provided in the General Appropriations Act.

Sec. 2310.005. BOARD MEETINGS. Outlines provisions regarding board meetings.

Sec. 2310.006. ADVISORS AND STAFF. Authorizes the commission to select and use advisors in carrying out the commission's duties under this chapter. Requires the Texas Department of Housing and Community Affairs to provide necessary clerical and advisory support staff to the commission subject to available resources.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 2310.021. EVALUATION OF REGULATIONS AND POLICIES RELATING TO HOUSING. Sets forth requirements regarding the evaluation of regulations and policies relating to housing.

Sec. 2310.022. STATEWIDE HOUSING POLICY. Requires the commission to use the results of the evaluation required by Section 2310.021 to establish a statewide housing policy.

Sec. 2310.023. ESTABLISHMENT AND PROMOTION OF AFFORDABLE HOUSING GOALS. Requires the commission to establish and promote affordable housing goals designed to increase the availability of affordable housing throughout the state. Sets forth items which may be included in the goals.

Sec. 2310.024. COLLECTION OF INFORMATION. Requires the commission to collect information relating to state and local policies evaluated under Section 2310.021 and make that information available to the public.

Sec. 2310.025. REPORT ON EVALUATION AND RECOMMENDATIONS. Sets forth items to be included in a report the commission is required to submit to the governor and the presiding officer of each house of the legislature not later than August 31 of each even-numbered year.

Sec. 2310.026. ANNUAL FUNDS REPORT. Requires the commission to file annually with the governor and the presiding officer of each house of the legislature a complete and detailed written report accounting for all funds received and disbursed by the commission during the preceding fiscal year.

Sec. 2310.027. FINANCIAL AUDIT. Provides that the financial transactions of the commission are subject to audit by the state auditor in accordance with Chapter 321.

Sec. 2310.028. RULES. Requires the board to adopt rules necessary to carry out the commission's powers and duties under this chapter.

Sec. 2310.029. GIFTS AND GRANTS. Authorizes the commission to accept a gift or grant from a public or private source to perform any of the commission's powers or duties.

Sec. 2310.030. CONTRACTS. Authorizes the commission to enter into contracts as necessary to perform any of the commission's powers or duties.

Sec. 2310.031. GENERAL POWERS AND DUTIES. Provides that the commission has all the powers and duties necessary to administer this chapter.

SECTION 2. Requires the governor to appoint the members of the board as soon as possible after the effective date of this Act. Requires the governor to appoint four members to serve terms expiring on February 1, 1999, four members to serve terms expiring on February 1, 2001, and four members to serve terms expiring on February 1, 2003.

SECTION 3. Effective date: September 1, 1997.

SECTION 4. Emergency clause.