

## **BILL ANALYSIS**

Senate Research Center

S.B. 1716  
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Intergovernmental Relations  
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Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, Section 392.0331 of the Local Government Code requires that a municipal housing authority with seven or more commissioners appoint to its board at least two commissioners who are tenants of a public housing project over which the authority has jurisdiction. Section 392.0331 does not provide for the appointment of a commissioner who is directly assisted by a housing authority's housing choice voucher program.

S.B. 1716 amends Section 392.0331 such that a municipal housing authority that has seven or more commissioners, and that serves a municipality with a population of over 2,000,000, can comply with Section 392.0331 by appointing as commissioners at least two persons who are directly assisted by the housing authority, either as tenants of public housing under the housing authority's jurisdiction or as recipients of housing assistance through the housing authority's housing choice voucher program. The amendment would facilitate the appointment of persons who are directly assisted through a housing choice voucher program to the position of commissioner in a housing authority, thereby increasing the representation and participation of housing choice voucher recipients on a housing authority's governing board.

S.B. 1716 amends current law relating to the governance of certain housing authorities.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 392.031(b), Local Government Code, as follows:

(b) Prohibits a commissioner from being an officer or employee of the municipality. Authorizes a commissioner to 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.

SECTION 2. Amends Section 392.0331, Local Government Code, by amending Subsections (b), (g), and (h) and adding Subsections (b-2) and (h-1), as follows:

(b) Requires a municipality with a municipal housing authority composed of five commissioners to 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-1) (providing that the presiding officer of the governing body of a municipality that has a municipal housing authority in which the total number of units is 150 or fewer is not required to appoint a tenant to the position of commissioner under certain conditions), in appointing commissioners under Section 392.031 (Appointment of Commissioners of a Municipal Housing Authority). Requires a municipality with a municipal housing authority composed of seven or more commissioners to appoint at least two commissioners to the authority who are tenants of a public housing project over

which the authority has jurisdiction, except as provided by Subsection (b-2), in appointing commissioners under Section 392.031. Makes a nonsubstantive change.

(b-2) Requires a municipality that has a population over two million and a municipal housing authority composed of seven or more commissioners to appoint at least two commissioners to the authority, in appointing commissioners under Section 392.031, who are:

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

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

(g) Prohibits a commissioner appointed under this section from participating:

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

(A) the commissioner's occupancy rights in public housing;

(B) the commissioner's rights to housing assistance administered through a housing choice voucher program; or

(C) the rights of any person related in the first degree by consanguinity to the commissioner with respect to the person's occupancy rights in public housing or right to receive housing assistance administered through a housing choice voucher program; or

(2) Makes no change to this subdivision.

(h) Requires a majority of the other commissioners, if a commissioner appointed under this section as a tenant of a public housing project ceases to reside in a housing unit operated by the public housing authority during the commissioner's term, to decide whether to request that a new commissioner be appointed. Authorizes a majority of the commissioners to decide to allow the commissioner to serve the remaining portion of the commissioner's term.

(h-1) Requires a majority of the other commissioners to decide whether to request that a new commissioner be appointed if a commissioner appointed under this section as a recipient of housing assistance administered through the authority's housing choice voucher program ceases to receive that assistance. Authorizes a majority of the commissioners to decide to allow the commissioner to serve the remaining portion of the commissioner's term.

SECTION 3. Effective date: September 1, 2015.