

## **BILL ANALYSIS**

Senate Research Center  
85R4842 JG-F

S.B. 593  
By: Rodríguez  
Intergovernmental Relations  
3/31/2017  
As Filed

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

Each public housing authority in Texas is governed by a board of commissioners. At least one of the commissioners on the authority's board must be a resident in one of the housing authority's units or housing programs. The resident appointed to serve on the board of commissioners is commonly referred to as a "resident commissioner."

Texas law currently restricts eligibility to serve as resident commissioner on behalf of a large housing authority to only those residents of the authority's federal "public housing" program. However, many housing authorities have diversified, or are in the process of diversifying, into new federal housing programs that transition residents from public housing to other subsidized programs. For instance, almost all housing authorities in Texas participate in the Housing Choice Voucher (HCV) program so that residents can use a "voucher" administered by the housing authority to rent in the private housing market. This program is often referred to as "Section 8," • which is the section of the U.S. Housing Act that created the program. Residents who rent with an HCV voucher are not technically residents of "public housing" so they are not eligible to serve on the authority's board of commissioners.

Other housing authorities are converting their traditional "public housing" into a similar type of federal subsidized housing. For instance, the Housing Authority of the City of El Paso (HACEP) is converting all of its federal public housing units (which are governed by Section 9 of the U.S. Housing Act) into project-based rental assistance (PBRA) units (which are governed by Section 8 of the U.S. Housing Act). As HACEP completes this public housing-to-PBRA conversion, it will no longer have any residents eligible to serve on its board of commissioners, because there will no longer be any public housing residents. All of the residents will have moved into a newer federal housing program.

S.B. 593 broadens the pool of residents of a housing authority who are eligible to be selected to serve as a "resident commissioner" on the housing authority's governing board in certain counties. This will allow a public housing authority such as HACEP to continue to have a resident serve on the governing body, which is vital to represent the perspective of the residents who reside in the housing authority's units and/or programs.

As proposed, S.B. 593 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, to authorize a municipal housing authority commissioner to be a recipient of housing assistance administered through the housing authority's housing choice voucher (HCV) program or project-based rental assistance (PBRA) program and make a nonsubstantive change.

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

(b) Requires a municipality with a municipal housing authority composed of five commissioners, except as provided by Subsections (b-1) (relating to the presiding officer of a municipality not having to appoint a tenant as commissioner under certain circumstances) and (b-2), in appointing commissioners, to appoint at least one commissioner to the authority who meets certain criteria. Makes a conforming change. Requires a municipality with a municipal housing authority composed of seven or more commissioners, except as provided by Subsection (b-3) (relating to the appointments of commissioners in a municipality with a population over two million and an authority composed of seven or more commissioners), rather than Subsection (b-2), to appoint at least two commissioners to the authority who meet certain criteria.

(b-2) Provides that this subsection applies only to a municipality that has a population over 600,000 and is located adjacent to the international border of this state. Requires a municipality described by this subsection that has a municipal housing authority composed of five commissioners, in appointing commissioners under Section 392.031 (Appointment of Commissioners of a Municipal Housing Authority), to appoint at least one commissioner to the authority who is a tenant of a public housing project over which the authority has jurisdiction, or a recipient of housing assistance administered through the authority's HCV program or PBRA programs.

(b-3) Creates this subsection from existing text and makes no further changes to this subsection.

(g) Makes conforming changes.

(h-1) Makes a conforming change.

SECTION 3. Effective date: September 1, 2017.