

BILL ANALYSIS

Senate Research Center

C.S.S.B. 1474
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State Affairs
5/12/2003
Committee Report (Substituted)

DIGEST AND PURPOSE

The Fair Housing Act does not prohibit discrimination based on the source of funding of a proposed housing development. Opposition to proposed affordable housing developments is sometimes aimed toward a development being multi-family housing, but can also be targeted toward it being state-funded affordable housing. C.S.S.B. 1474 prohibits discrimination based on the source of funding for a proposed housing development.

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 2306.032, Government Code, by adding Subsection (h) to prohibit the governing board of the Texas Department of Housing and Community Affairs from considering opposition to a housing development solely based on the source of funding for the development.

SECTION 2. Amends Chapter 250, Local Government Code, by adding Section 250.003, as follows:

Sec. 250.003. REGULATION OF HOUSING DEVELOPMENTS. (a) Defines "housing development."

(b) Prohibits the governing body of a municipality or county from regulating the location of a housing development or issuing, modifying, or denying a permit for a housing development, based on the source of funding for the development.

SECTION 3. Provides that the change in law made by Subsection (h), Section 2306.032, Government Code, as added by this Act, applies only to an application for a low income housing tax credit allocation submitted to the Texas Department of Housing and Community Affairs on or after the effective date of this Act. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2003.