

BILL ANALYSIS

Senate Research Center
81R21287 JAM-D

H.B. 2450
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Intergovernmental Relations
5/11/2009
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 2450 amends current law relating to a determination of home ownership by the Texas Department of Housing and Community Affairs following a disaster.

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 Subchapter H, Chapter 2306, Government Code, by adding Section 2306.188, as follows:

Sec. 2306.188. ESTABLISHING HOME OWNERSHIP IN DISASTER AREA. (a) Authorizes an applicant for federally provided financial assistance administered by the Department of Housing and Community Affairs (TDHCA) to repair or rebuild a home damaged by a natural disaster to establish ownership of the home through nontraditional documentation of title. Requires TDHCA to process an application for that assistance as if the applicant is the record title holder of the affected real property if the applicant provides to TDHCA:

(1) on a form prescribed by TDHCA, an affidavit summarizing the basis on which the applicant claims to be the holder of record title or, if applicable, a successor in interest to the holder of record title, stating that there is no other person entitled to claim any ownership interest in the property, or each person who may be entitled to claim an ownership interest in the property has given consent to the application or cannot be located after a reasonable effort; and

(2) other documentation, including tax receipts, utility bills, or evidence of insurance for the home, that indicates that the applicant exercised ownership over the property at the time of the natural disaster.

(b) Provides that this section does not establish record ownership or otherwise alter legal ownership of real property.

(c) Provides that TDHCA is not liable to any claimed owner of an interest in real property for administering financial assistance as permitted by this section.

SECTION 2. Effective date: upon passage or September 1, 2009.