

## BILL ANALYSIS

Senate Research Center  
81R32720 JAM-D

C.S.H.B. 2450  
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Intergovernmental Relations  
5/13/2009  
Committee Report (Substituted)

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

C.S.H.B. 2450 amends current law relating to the administration of programs by the Texas Department of Housing and Community Affairs in response to or in preparation for a natural 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 Texas 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. Amends Chapter 2306, Government Code, by adding Subchapter X-2, as follows:

#### SUBCHAPTER X-2. NATURAL DISASTER HOUSING RECONSTRUCTION INITIATIVE

Sec. 2306.541. NATURAL DISASTER HOUSING RECONSTRUCTION ADVISORY COMMITTEE. (a) Requires the director of TDHCA (director) to appoint a natural disaster housing reconstruction advisory committee (advisory committee) composed of

representatives from appropriate local, state, and federal entities and organizations and nonprofit organizations.

(b) Requires the advisory committee to develop a natural disaster housing reconstruction plan (plan). Sets forth the requirements of the advisory committee in developing this plan.

(c) Provides that Chapter 2110 (State Agency Advisory Committees) does not apply to the advisory committee.

Sec. 2306.542. HOUSING RECONSTRUCTION DEMONSTRATION PILOT PROGRAM. (a) Requires the director and the advisory committee, using the plan developed under this subchapter, to develop, for implementation under Subsections (b) and (c), housing reconstruction demonstration pilot programs (pilot program) for three areas, each of which was affected by one of the three most recent federally declared natural disasters. Requires that the pilot programs provide for the replacement of at least 20 houses in each area to test the feasibility of implementing the plan in the large-scale production of replacement housing for victims of federally declared natural disasters.

(b) Requires TDHCA to provide information regarding a pilot program developed under Subsection (a) and assistance in implementing a pilot program developed under Subsection (a) to an interested council of government, county, or local government eligible for funding for disaster recovery under the community block grant program (program).

(c) Authorizes TDHCA, at the discretion of the governing board of TDHCA (board), to implement a pilot program in any of the three most recently federally declared disaster areas in which a pilot program has not been implemented by a council of government, county, or local government. Authorizes TDHCA to use any available funds to implement the pilot program.

SECTION 3. Provides that the purpose of this Act in adding Subchapter X-2, Chapter 2306, Government Code, is to encourage the development of a model plan for future reconstruction efforts to increase the effective and efficient delivery of natural disaster housing recovery services by state agencies. Provides that this Act is not meant to delay or otherwise interfere with ongoing reconstruction efforts.

SECTION 4. (a) Requires the executive director of TDHCA (executive director), not later than January 1, 2010, to submit the plan developed under Section 2306.541(b), Government Code, as added by this Act, to the board.

(b) Requires the executive director, not later than March 1, 2010, to provide pilot program information to an interested council of government, county, or local government eligible for funding for disaster recovery under the program.

SECTION 5. Effective date: September 1, 2009.