

By: Shaheen

H.B. No. 3591

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the allocation of low income housing tax credits.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Section 2306.6711(b), Government Code, is
5 amended to read as follows:

6 (b) Not later than the deadline specified in the qualified
7 allocation plan, the board shall issue commitments for available
8 housing tax credits based on the application evaluation process
9 provided by Section 2306.6710. The board may not allocate to an
10 applicant housing tax credits in any unnecessary amount, as
11 determined by the department's underwriting policy and by federal
12 law, and in any event may not allocate to the applicant housing tax
13 credits in an amount greater than \$6 [~~\$3~~] million in a single
14 application round or to an individual development more than \$2
15 million in a single application round.

16 SECTION 2. Section 2306.6724, Government Code, is amended
17 by adding Subsection (g) to read as follows:

18 (g) Notwithstanding any other law, the department shall
19 issue a final commitment for an allocation of housing tax credits
20 not later than the 120th day following the date on which the
21 department receives from an applicant a complete cost certification
22 package, as prescribed by department rule, and the applicant has
23 fulfilled any requests for information for the issuance of Internal
24 Revenue Service Form 8609, or that form's successor.

1 SECTION 3. Section [2306.1112](#), Government Code, is repealed.

2 SECTION 4. The change in law made by this Act applies only
3 to an application for low income housing tax credits that is
4 submitted to the Texas Department of Housing and Community Affairs
5 during an application cycle that is based on the 2024 qualified
6 allocation plan or a subsequent plan adopted by the governing board
7 of the department. An application that is submitted during an
8 application cycle that is based on an earlier qualified allocation
9 plan is governed by the law in effect on the date the application
10 cycle began, and the former law is continued in effect for that
11 purpose.

12 SECTION 5. This Act takes effect September 1, 2023.