By: Cunningham, Lopez of Bexar, Cole, Luther,   H.B. No. 3753
     Garcia Hernandez

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 2306.67022, Government Code, is amended

5 by adding Subsections (d) and (e) to read as follows:

6   (d) The department may not:

7   (1) require as part of the threshold criteria under a

8 qualified allocation plan that a public school campus with an

9 attendance zone that contains the proposed development site satisfy

10 certain criteria relating to educational quality, as specified by

11 the department in that plan; or

12   (2) adopt a qualified allocation plan that uses a

13 scoring system that awards points to an application based on

14 criteria relating to the educational quality of a public school

15 campus with an attendance zone that contains the proposed

16 development site.

17   (e) This subsection and Subsection (d) expire September 1,

18 2027.

19   SECTION 2. (a) The Texas Department of Housing and

20 Community Affairs shall conduct a study of the effects that the

21 implementation of Section 2306.67022(d), Government Code, as added

22 by this Act, has on the allocation of low income housing tax credits

23 in this state.

24   (b) Not later than November 1, 2027, the Texas Department of

1 Housing and Community Affairs shall submit to each standing
2 committee of the legislature with jurisdiction over affordable
3 housing a report regarding the study required by Subsection (a) of
4 this section.

5   SECTION 3. The change in law made by this Act applies only
6 to an application for low income housing tax credits that is
7 submitted to the Texas Department of Housing and Community Affairs
8 during an application cycle that is based on the 2026 or 2027
9 qualified allocation plan adopted by the governing board of the
10 department.

11   SECTION 4. This Act takes effect September 1, 2025.