

By: Mercer

H.B. No. 1632

A BILL TO BE ENTITLED

AN ACT

relating to the administration of the low income housing tax credit program by the Texas Department of Housing and Community Affairs.

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

SECTION 1. Section 2306.6710(b), Government Code, is amended to read as follows:

(b) If an application satisfies the threshold criteria, the department shall score and rank the application using a point system that:

(1) prioritizes in descending order criteria ~~[based on criteria that are adapted to regional market conditions and adopted by the department, including criteria:~~

~~[(1)]~~ regarding:

(A) quantifiable community participation with respect to ~~[the income levels of tenants of]~~ the development;

(B) input from local and state elected officials ~~[the rent levels of the units];~~

(C) financial feasibility of the development ~~[the period of guaranteed affordability for low income tenants];~~

(D) the size, quality, and amenities of the units ~~[cost by square foot of the development];~~

(E) the income levels of tenants of the development ~~[size, quality, and amenities of the units];~~

(F) the rent levels of the units ~~[services to be~~

1 ~~provided to tenants of the development];~~

2 (G) the period of guaranteed affordability for
3 low income tenants [~~commitment of development funding by local~~
4 ~~political subdivisions that enables additional units for~~
5 ~~individuals and families of very low income]; [and]~~

6 (H) the cost by square foot [~~level of community~~
7 ~~support for the application, evaluated on the basis of written~~
8 ~~statements of support from local and state elected officials~~
9 ~~representing constituents in areas that include the location] of
10 the development; [and]~~

11 (I) the services to be provided to tenants of the
12 development; and

13 (J) the commitment of development funding by
14 local political subdivisions that enables additional units for
15 individuals and families of very low income; and

16 (2) uses criteria imposing penalties on applicants or
17 affiliates who have requested extensions of department deadlines
18 relating to developments supported by housing tax credit
19 allocations made in the application round preceding the current
20 round.

21 SECTION 2. Section 2306.6717(b), Government Code, is
22 amended to read as follows:

23 (b) The department shall make available on the department's
24 website [~~provide~~] information regarding the low income housing tax
25 credit program, including notice regarding public hearings,
26 [~~board~~] meetings, [~~and~~] the opening and closing dates for
27 applications, submitted applications, and applications approved

1 for underwriting and recommended to the board, and shall provide
2 that information to:

- 3 (1) locally affected community groups;
4 (2) local and state elected officials;
5 (3) local housing departments;
6 (4) any appropriate [~~(2)~~] newspapers of general or
7 limited circulation that serve the community in which the
8 development is to be located;

9 (5) [~~(3)~~] nonprofit organizations;

10 (6) [~~(4)~~] on-site property managers of occupied
11 developments that are the subject of applications for posting in
12 prominent locations in those developments; and

13 (7) [~~(5)~~] any other interested persons and [~~7~~
14 ~~including~~] community groups that [~~7~~ ~~who~~] request the information.

15 SECTION 3. Section 2306.6710(e), Government Code, is
16 repealed.

17 SECTION 4. Sections 2306.6725 and 2306.6732, Government
18 Code, are repealed.

19 SECTION 5. The change in law made by this Act applies only
20 to a proposed development for which an application for a low income
21 housing tax credit is submitted on or after the effective date of
22 this Act.

23 SECTION 6. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2003.