

By: Jones of Dallas

H.B. No. 2308

A BILL TO BE ENTITLED

AN ACT

relating to ineligibility for participation in the low income housing tax credit program.

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

SECTION 1. Subchapter DD, Chapter 2306, Government Code, is amended by adding Section 2306.67035 to read as follows:

Sec. 2306.67035. REGULATION OF LOCATION OF CERTAIN DEVELOPMENTS. (a) The department by rule shall develop appropriate guidelines under the low income housing tax credit program in which the applicant proposes to construct a new development that is located one linear mile or less from a development that:

(1) serves the same type of household as the new development, regardless of whether the developments serve families, elderly individuals, or another type of household;

(2) has received an allocation of housing tax credits for new construction at any time during the three-year period preceding the date the application round begins; and

(3) has not been withdrawn or terminated from the low income housing tax credit program.

(b) A rule adopted by the department under Subsection (a) must exempt a development:

(1) that is using:

(A) federal HOPE VI funds received through the

1 United States Department of Housing and Urban Development; or
2 (B) locally approved funds received from a public
3 improvement district or a tax increment financing district; or
4 (2) that is located outside of a metropolitan
5 statistical area.

6 SECTION 2. This Act takes effect September 1, 2003.