

Amend CSSB 1908 by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Sections 2306.6710(b) and (f), Government Code, are 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 regarding:

(A) financial feasibility of the development based on the supporting financial data required in the application that will include a project underwriting pro forma from the permanent or construction lender;

(B) quantifiable community participation with respect to the development, evaluated on the basis of written statements from any neighborhood organizations on record with the state or county in which the development is to be located and whose boundaries contain the proposed development site;

(C) the income levels of tenants of the development;

(D) whether the development is a mixed-income development that satisfies each of the following characteristics:

(i) at least 20 percent of the development's units are provided to individuals and families with incomes greater than 60 percent of the area median family income;

(ii) at least 15 percent of the development's units are provided to individuals and families with incomes of not more than 40 percent of the area median family income or at least 10 percent of the development's units are provided to individuals and families with incomes of not more than 30 percent of the area median family income;

(iii) each of the development's units that is funded with housing tax credits contains a minimum of two bedrooms; and

(iv) a local political subdivision or public housing authority financially participates in the

development;

(E) the size and quality of the units;

(F) [~~(F)~~] the commitment of development funding by local political subdivisions;

(G) [~~(F)~~] the level of community support for the application, evaluated on the basis of written statements from state elected officials;

(H) [~~(G)~~] the rent levels of the units;

(I) [~~(H)~~] the cost of the development by square foot, unless the development exceeds a height of four stories and is located in an area designated by the appropriate local political subdivision as a high density area; and

(J) [~~(I)~~] the services to be provided to tenants of the development; and

(2) uses criteria imposing penalties on applicants or affiliates who have requested extensions of department deadlines relating to developments supported by housing tax credit allocations made in the application round preceding the current round or a developer or principal of the applicant that has been removed by the lender, equity provider, or limited partners for its failure to perform its obligations under the loan documents or limited partnership agreement.

(f) In evaluating the level of community support for an application under Subsection (b)(1)(G) [~~(b)(1)(F)~~], the department shall award:

(1) positive points for positive written statements received;

(2) negative points for negative written statements received; and

(3) zero points for neutral statements received.

SECTION \_\_\_\_\_. The changes in law made to Section 2306.6710, Government Code, by this Act apply only to an application for low income housing tax credits that is submitted to the Texas Department of Housing and Community Affairs during an application cycle that begins on or after the effective date of this Act. An application that is submitted during an application cycle that began before the effective date of this Act is governed by the law

in effect at the time the application cycle began, and the former law is continued in effect for that purpose.