

BILL ANALYSIS

Senate Research Center
80R14897 EJI-D

C.S.S.B. 1908
By: Ellis
Government Organization
4/18/2007
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, an entity applying for a low income housing tax credit must first satisfy the basic requirements set forth by the Texas Department of Housing & Community Affairs (department). After an entity satisfies the basic requirements, the department scores and ranks applicants based upon a point system. One such scoring and ranking criterion is the level of community support for the application, based upon written statements from state elected officials.

In evaluating the level of community support, the department awards positive points for positive written statements received, negative points for negative written statements received, and zero points for neutral statements received. Oftentimes, the final scores differ by just a few points, so a positive or negative letter from a state-elected official could be the determining factor for a winning application. Such a system can place state elected officials in the awkward position of trying to determine the merits or flaws of projects with which they may not be familiar.

C.S.S.B. 1908 eliminates the criterion for evaluating the level of community support based upon written statements from state elected officials.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2306.6710(b), Government Code, to delete existing text that provides that the level of community support for an application submitted under this chapter (Texas Department of Housing and Community Affairs), evaluated on the basis of written statements from state elected officials, is one of many specific criteria used by the Texas Department of Housing and Community Affairs (department) to score and rank each application.

SECTION 2. Repealer: Sections 2306.6710(f) and (g) (relating to the awarding of points by the department based on the nature of the written statements received), Government Code, and 2306.6718(b) (relating to the ability of elected officials to comment on the application during the evaluation process), Government Code.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2007.