

By: Davis of Dallas

H.B. No. 2297

A BILL TO BE ENTITLED

AN ACT

relating to the administration of the low income housing tax credit program.

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

SECTION 1. Section 2306.6711, Government Code, is amended by amending Subsection (b) and adding Subsection (g) to read as follows:

(b) Not later than the deadline specified in the qualified allocation plan, the board shall issue commitments for available housing tax credits based on the application evaluation process provided by Section 2306.6710. The board may not allocate to an applicant housing tax credits in any unnecessary amount, as determined by the department's underwriting policy and by federal law, and in any event may not, except as permitted by Subsection (g), allocate to the applicant housing tax credits in an amount greater than \$3 [~~\$2~~] million in a single application round.

(g) Beginning in 2012, on January 1 of each even-numbered year, the department may adjust the maximum amount of the allocation prescribed by Subsection (b) by an amount equal to the amount prescribed by that subsection multiplied by the percentage change during the preceding state fiscal biennium in the Consumer Price Index for All Urban Consumers (CPI-U), U.S. City Average, published monthly by the United States Bureau of Labor Statistics, or its successor in function. The department shall publish the new

1 amount in the qualified allocation plan.

2           SECTION 2. The change in law made by this Act to Section  
3 2306.6711, Government Code, applies only to an application for low  
4 income housing tax credits that is submitted to the Texas  
5 Department of Housing and Community Affairs during an application  
6 cycle that begins on or after the effective date of this Act. An  
7 application that was submitted during an application cycle that  
8 began before the effective date of this Act is governed by the law  
9 in effect at the time the application cycle began, and the former  
10 law is continued in effect for that purpose.

11           SECTION 3. This Act takes effect September 1, 2009.