

By: Farias

H.B. No. 3215

Substitute the following for H.B. No. 3215:

By: Pierson

C.S.H.B. No. 3215

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the establishment of a down payment assistance program
3 for certain professional educators by the Texas State Affordable
4 Housing Corporation.

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

6 SECTION 1. Subchapter Y, Chapter 2306, Government Code, is
7 amended by adding Section 2306.5622 to read as follows:

8 Sec. 2306.5622. PROFESSIONAL EDUCATORS DOWN PAYMENT
9 ASSISTANCE PROGRAM IN CERTAIN COUNTIES. (a) In this section:

10 (1) "Low-wealth school district" means a school
11 district that:

12 (A) has a low wealth per student, as determined
13 jointly by the commissioner of education and the corporation; and

14 (B) is located in a county with a population of
15 more than one million and in which more than 80 percent of the
16 population resides in a single municipality.

17 (2) "Professional educator" means a classroom
18 teacher, full-time paid teacher's aide, full-time librarian,
19 full-time counselor certified under Subchapter B, Chapter 21,
20 Education Code, or full-time school nurse.

21 (3) "Wealth per student" means the taxable value of
22 property in a school district, as determined under Subchapter M,
23 Chapter 403, divided by the number of students enrolled in the
24 district.

1 (b) The corporation, in consultation with the commissioner
2 of education and low-wealth school districts, shall establish a
3 program providing to eligible professional educators down payment
4 assistance, as funds are available, in the form of deferred
5 forgivable second-lien loans. Loans provided under this section
6 must:

7 (1) with a total matching amount not to exceed \$4,000
8 as described by this subdivision, match each dollar of an eligible
9 professional educator's down payment contribution toward the
10 purchase of a home, with:

11 (A) a mandatory contribution, not to exceed
12 \$2,000, from the corporation; and

13 (B) an additional optional contribution, not to
14 exceed \$2,000, from the applicable low-wealth school district; and

15 (2) be forgiven at the rate of one-third of the
16 original balance of the loan for each year that the professional
17 educator remains employed by the district after the issuance of the
18 loan.

19 (c) To be eligible for down payment assistance under this
20 section, a professional educator must:

21 (1) be employed by a low-wealth school district for
22 the six-month period preceding the application date;

23 (2) have an income that does not exceed the greater of:

24 (A) 115 percent of area median family income,
25 adjusted for family size; or

26 (B) the maximum amount permitted by Section
27 143(f), Internal Revenue Code of 1986;

1 (3) meet the creditworthiness and purchase price
2 standards established by corporation rule;

3 (4) complete a homebuyer education course;

4 (5) occupy the purchased home as the educator's
5 primary residence; and

6 (6) purchase a home in the low-wealth school district
7 in which the professional educator is employed.

8 (d) A professional educator who receives down payment
9 assistance through a second-lien loan under this section shall
10 repay the original balance of the loan if the person:

11 (1) ceases to be a professional educator employed by
12 the low-wealth school district in which the home is located; or

13 (2) ceases to occupy the home as the educator's primary
14 residence.

15 (e) The corporation may contract with the State Board for
16 Educator Certification, the Texas Education Agency, or other
17 agencies of the state or with private entities to:

18 (1) determine whether applicants qualify as
19 professional educators under this section; or

20 (2) otherwise administer all or part of this section.

21 (f) The board of directors of the corporation may set and
22 collect from each applicant any fees the board considers reasonable
23 and necessary to cover the expenses of administering the program.

24 (g) The board of directors of the corporation shall adopt
25 program guidelines governing:

26 (1) the administration of the program;

27 (2) the issuance of down payment assistance under the

1 program;

2 (3) creditworthiness and purchase price standards;

3 and

4 (4) the verification of occupancy of the home as the
5 professional educator's principal residence.

6 (h) The corporation shall ensure that down payment
7 assistance under this section is structured in a way that complies
8 with any requirements associated with the source of the funds used
9 for the assistance.

10 (i) The corporation may solicit and accept funding for the
11 program from the following sources:

12 (1) low-wealth school districts;

13 (2) gifts and grants for the purposes of this section;

14 (3) any state or federal programs that provide money
15 that may be used for the purposes of this section; and

16 (4) amounts received by the corporation in any
17 repayments of loans made under this section.

18 SECTION 2. The Texas State Affordable Housing Corporation
19 shall adopt the program guidelines required by Section
20 2306.5622(g), Government Code, as added by this Act, not later than
21 December 1, 2009.

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