

1-1 By: Farias (Senate Sponsor - Uresti) H.B. No. 3215
1-2 (In the Senate - Received from the House May 13, 2009;
1-3 May 14, 2009, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 23, 2009, reported favorably by
1-5 the following vote: Yeas 4, Nays 0; May 23, 2009, sent to
1-6 printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to the establishment of a down payment assistance program
1-10 for certain professional educators by the Texas State Affordable
1-11 Housing Corporation.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter Y, Chapter 2306, Government Code, is
1-14 amended by adding Section 2306.5622 to read as follows:

1-15 Sec. 2306.5622. PROFESSIONAL EDUCATORS DOWN PAYMENT
1-16 ASSISTANCE PROGRAM IN CERTAIN COUNTIES. (a) In this section:

1-17 (1) "Low-wealth school district" means a school
1-18 district that:

1-19 (A) has a low wealth per student, as determined
1-20 jointly by the commissioner of education and the corporation; and

1-21 (B) is located in a county with a population of
1-22 more than one million and in which more than 80 percent of the
1-23 population resides in a single municipality.

1-24 (2) "Professional educator" means a classroom
1-25 teacher, full-time paid teacher's aide, full-time librarian,
1-26 full-time counselor certified under Subchapter B, Chapter 21,
1-27 Education Code, or full-time school nurse.

1-28 (3) "Wealth per student" means the taxable value of
1-29 property in a school district, as determined under Subchapter M,
1-30 Chapter 403, divided by the number of students enrolled in the
1-31 district.

1-32 (b) The corporation, in consultation with the commissioner
1-33 of education and low-wealth school districts, shall establish a
1-34 program providing to eligible professional educators down payment
1-35 assistance in the form of deferred forgivable second-lien loans.
1-36 Loans provided under this section must:

1-37 (1) with a total matching amount not to exceed \$4,000
1-38 as described by this subdivision, match each dollar of an eligible
1-39 professional educator's down payment contribution toward the
1-40 purchase of a home, with:

1-41 (A) a mandatory contribution, as funds are
1-42 available and not to exceed \$2,000, from the corporation; and

1-43 (B) an additional optional contribution, not to
1-44 exceed \$2,000, from the applicable low-wealth school district; and

1-45 (2) be forgiven at the rate of one-third of the
1-46 original balance of the loan for each year that the professional
1-47 educator remains employed by the district after the issuance of the
1-48 loan.

1-49 (c) To be eligible for down payment assistance under this
1-50 section, a professional educator must:

1-51 (1) be employed by a low-wealth school district for
1-52 the six-month period preceding the application date;

1-53 (2) have an income that does not exceed the greater of:

1-54 (A) 115 percent of area median family income,
1-55 adjusted for family size; or

1-56 (B) the maximum amount permitted by Section
1-57 143(f), Internal Revenue Code of 1986;

1-58 (3) meet the creditworthiness and purchase price
1-59 standards established by corporation rule;

1-60 (4) complete a homebuyer education course;

1-61 (5) occupy the purchased home as the educator's
1-62 primary residence; and

1-63 (6) purchase a home in the low-wealth school district
1-64 in which the professional educator is employed.

2-1 (d) A professional educator who receives down payment
2-2 assistance through a second-lien loan under this section shall
2-3 repay the outstanding balance of the loan if the person:

- 2-4 (1) ceases to be a professional educator employed by
2-5 the low-wealth school district in which the home is located; or
- 2-6 (2) ceases to occupy the home as the educator's primary
2-7 residence.

2-8 (e) The corporation may contract with the State Board for
2-9 Educator Certification, the Texas Education Agency, or other
2-10 agencies of the state or with private entities to:

- 2-11 (1) determine whether applicants qualify as
2-12 professional educators under this section; or
- 2-13 (2) otherwise administer all or part of this section.

2-14 (f) The board of directors of the corporation may set and
2-15 collect from each applicant any fees the board considers reasonable
2-16 and necessary to cover the expenses of administering the program.

2-17 (g) The board of directors of the corporation shall adopt
2-18 program guidelines governing:

- 2-19 (1) the administration of the program;
- 2-20 (2) the issuance of down payment assistance under the
2-21 program;
- 2-22 (3) creditworthiness and purchase price standards;
2-23 and
- 2-24 (4) the verification of occupancy of the home as the
2-25 professional educator's principal residence.

2-26 (h) The corporation shall ensure that down payment
2-27 assistance under this section is structured in a way that complies
2-28 with any requirements associated with the source of the funds used
2-29 for the assistance.

2-30 (i) The corporation may solicit and accept funding for the
2-31 program from the following sources:

- 2-32 (1) low-wealth school districts;
- 2-33 (2) gifts and grants for the purposes of this section;
- 2-34 (3) any state or federal programs that provide money
2-35 that may be used for the purposes of this section; and
- 2-36 (4) amounts received by the corporation in any
2-37 repayments of loans made under this section.

2-38 SECTION 2. The Texas State Affordable Housing Corporation
2-39 shall adopt the program guidelines required by Section
2-40 2306.5622(g), Government Code, as added by this Act, not later than
2-41 December 1, 2009.

2-42 SECTION 3. This Act takes effect September 1, 2009.