

By: Menendez

H.B. No. 4275

A BILL TO BE ENTITLED

AN ACT

relating to the application process and scoring for the low income housing tax credit program.

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

SECTION 1. Section 2306.6736, is added to the Government Code to read:

Sec. 2306.6736. (a) To the extent the department receives federal funds under the American Recovery and Reinvestment Act of 2009 or any subsequent law (including any extension or renewal thereof) that requires the department to award the federal funds in the same manner and subject to the same limitations as awards of housing tax credits, the following provisions shall apply.

(b) Any reference in this Chapter to the administration of the housing tax credit program shall apply equally to the administration of such federal funds, except:

(1) The department may establish a separate application procedure for such funds, outside of the uniform application cycle referred to in section 2306.1111 and the deadlines established in section 2306.6724, and any reference herein to the application period shall refer to the period beginning on the date the department begins accepting applications for such funds and continuing until all such available funds are awarded.

(2) Unless reauthorized, this section is repealed on

1 August 31, 2011.

2 SECTION 2. Section 2306.6737, is added to the Government
3 Code to read:

4 Section 2306.6737. If allowed by federal law, the department
5 shall, under any federally funded program resulting from the
6 American Recovery and Reinvestment Act of 2009, secure the
7 interests of the state through bonds, an ownership interest in
8 property, restrictive covenants filed in the real property records,
9 and/or liens filed on a property for which the applicant has
10 accepted funds until such a time as the department and the State of
11 Texas do not have liability to repay or recapture such funds.

12 SECTION 3. It is the intent of the legislature that the
13 passage by the 81st Legislature, Regular Session, 2009, if another
14 bill that amends Chapter 2306, Government Code, and the amendments
15 made by this Act shall be harmonized, if possible, as provided by
16 Section 311.025(b), Government Code, so that effect may be given to
17 each. If the amendments made by this Act to Chapter 2306,
18 Government Code, and the amendments made to Chapter 2306,
19 Government Code, by any other bill are irreconcilable, it is the
20 intent of the legislature that this Act prevail, regardless of the
21 relative dates of enactment of this Act and the other bill or bills,
22 but only to the extent that any differences are irreconcilable.

23 SECTION 4. The changes in law made by this Act relating to
24 the evaluation of applications for financial assistance
25 administered by the Texas Department of Housing and Community
26 Affairs apply only to an application submitted on or after the
27 effective date of this Act. An application submitted before the

1 effective date of this Act is governed by the law in effect when the
2 application was submitted, and the former law is continued in
3 effect for that purpose.

4 SECTION 5. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2009.