

By: Lucio

S.B. No. 991

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the allocation of housing tax credits to developments
3 in rural areas under the low income housing tax credit program.

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

5 SECTION 1. Section 2306.67022, Government Code, is amended
6 to read as follows:

7 Sec. 2306.67022. QUALIFIED ALLOCATION PLAN; MANUAL. (a)
8 The board annually shall adopt a qualified allocation plan and a
9 corresponding manual to provide information regarding the
10 administration of and eligibility for the low income housing tax
11 credit program.

12 (b) The board shall adopt any provisions in the qualified
13 allocation plan that the board considers necessary to facilitate
14 the efficient delivery of multifamily housing to rural areas in
15 this state.

16 SECTION 2. Section 2306.6723(b), Government Code, is
17 amended to read as follows:

18 (b) The rural development agency shall assist in developing
19 all threshold, scoring, and underwriting criteria applied to
20 applications eligible for the rural area set-aside. The criteria
21 must be approved by that agency. To the extent permitted by federal
22 law and notwithstanding any funding priorities otherwise provided
23 by state law, the threshold, scoring, and underwriting criteria
24 developed and approved under this section must ensure that

1 applications for allocations of housing tax credits to small-scale
2 developments located in rural areas are not placed, based solely on
3 the size of the proposed developments, at a competitive
4 disadvantage with applications for allocations of housing tax
5 credits to other developments located in those areas. For purposes
6 of this subsection, "small-scale development" means a development
7 with fewer than 33 units.

8 SECTION 3. The changes in law made by this Act apply only to
9 an application cycle that begins on or after the effective date of
10 this Act. An application cycle that begins before the effective
11 date of this Act is governed by the law in effect when the
12 application cycle began, and the former law is continued in effect
13 for that purpose.

14 SECTION 4. This Act takes effect September 1, 2009.