

By: Hinojosa

S.B. No. 2209

A BILL TO BE ENTITLED

AN ACT

1
2 relating to applications regarding the issuance of private activity
3 bonds by certain governmental entities for projects with multiple
4 sites.

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

6 SECTION 1. Section 1372.002, Government Code, is amended by
7 amending Subsection (a) and adding Subsection (e) to read as
8 follows:

9 (a) For purposes of this chapter, a project is:

10 (1) an eligible facility or facilities that are
11 proposed to be financed, in whole or in part, by an issue of
12 qualified residential rental project bonds;

13 (2) in connection with an issue of qualified mortgage
14 bonds or qualified student loan bonds, the providing of financial
15 assistance to qualified mortgagors or students located in all or
16 any part of the jurisdiction of the issuer; or

17 (3) an eligible facility or facilities that are [~~is~~]
18 proposed to be financed, in whole or in part, by an issue of bonds
19 other than bonds described by Subdivision (1) or (2).

20 (e) For purposes of Subsection (a)(3), and only for
21 applications for the financing of sewage facilities, solid waste
22 disposal facilities, and qualified hazardous waste facilities, an
23 application under this chapter may include multiple facilities in
24 multiple jurisdictions. In such an application, the number of

1 facilities may be reduced as needed without affecting their status
2 as a project for purposes of the application.

3 SECTION 2. Subsection (a), Section 1372.006, Government
4 Code, is amended to read as follows:

5 (a) An application for a reservation under Subchapter B or a
6 carryforward designation under Subchapter C must be accompanied by
7 a nonrefundable fee in an [the] amount of \$500 for each facility
8 included in the application for the project, except that for
9 issuers of qualified residential rental project bonds the
10 application must be accompanied by a nonrefundable fee of \$5,000,
11 of which the board shall retain \$1,000 to offset the costs of the
12 private activity bond allocation program and the administration of
13 that program and of which the board shall transfer \$4,000 through an
14 interagency agreement to the Texas Department of Housing and
15 Community Affairs for use in the affordable housing research and
16 information program as provided by Section 2306.259.

17 SECTION 3. Section 1372.029, Government Code, is amended to
18 read as follows:

19 Sec. 1372.029. APPLICATIONS FOR MULTIPLE PROJECTS AT SAME
20 SITE PROHIBITED. The board may not accept applications for
21 reservations for more than one project located at, or related to, a
22 business operation at a particular site for any one program year or
23 for more than one facility included in a project located at, or
24 related to, a business operation at a particular site for any one
25 program year.

26 SECTION 4. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2009.