

By: Isaac

H.B. No. 3779

Substitute the following for H.B. No. 3779:

By: Dutton

C.S.H.B. No. 3779

A BILL TO BE ENTITLED

AN ACT

relating to affordable housing.

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

SECTION 1. Subchapter F, Chapter 2306, Government Code, is amended by adding Section 2306.1116 to read as follows:

Sec. 2306.1116. NOTICE TO LOCAL GOVERNMENTS REQUIRED FOR CERTAIN APPLICATIONS FOR FINANCIAL ASSISTANCE; HEARING AND CERTIFICATION REQUIRED. (a) Not later than the 60th day before the date an application for financial assistance for the construction or rehabilitation of affordable rental housing is submitted to the department, the applicant must provide notice of intent to file the application to:

(1) the municipality in which any part of the proposed development is to be located;

(2) the county in which any part of the proposed development is to be located if that part will not be located in a municipality; and

(3) the municipality and county in which the proposed development is to be located if any part of the development is to be located in the extraterritorial jurisdiction of a municipality.

(b) Not later than the 30th day after the date of receipt of notice under Subsection (a), a county or municipality, as applicable, shall provide for public comment on the proposed application at a hearing held in compliance with Chapter 551.

1 (c) An application for financial assistance from the
2 department for the construction or rehabilitation of affordable
3 rental housing must be accompanied by a certified copy of a
4 resolution from each governing body that received notice under
5 Subsection (a). The resolution must certify that:

6 (1) notice has been provided to the governing body as
7 required by Subsection (a);

8 (2) the governing body has had sufficient opportunity
9 to obtain a response from the applicant regarding any questions or
10 concerns about the proposed development;

11 (3) the governing body has held a hearing under
12 Subsection (b); and

13 (4) after due consideration of the information
14 provided by the applicant and public comment, the governing body
15 does not object to the filing of the proposed application.

16 (d) A preapplication submitted under Section 2306.6704 is
17 not considered an application for purposes of this section.

18 SECTION 2. Section 11.182, Tax Code, is amended by adding
19 Subsection (h-1) to read as follows:

20 (h-1) Money received by a school district from a payment in
21 lieu of taxes made under Subsection (h)(1)(A) is subject to the same
22 limitations and restrictions as ad valorem tax revenue received by
23 the district.

24 SECTION 3. The change in law made by this Act in adding
25 Section 2306.1116, Government Code, applies only to an application
26 for financial assistance that is submitted to the Texas Department
27 of Housing and Community Affairs during an application cycle that

1 begins on or after the effective date of this Act. An application
2 for financial assistance that is submitted during an application
3 cycle that began before the effective date of this Act is governed
4 by the law in effect at the time the application cycle began, and
5 the former law is continued in effect for that purpose.

6 SECTION 4. This Act takes effect September 1, 2013.