

# SENATE AMENDMENTS

## 2<sup>nd</sup> Printing

By: Guillen

H.B. No. 429

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the definition of rural area for purposes of certain  
3 housing assistance administered by the Texas Department of Housing  
4 and Community Affairs.

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

6 SECTION 1. Section 2306.004(28-a), Government Code, is  
7 amended to read as follows:

8 (28-a) "Rural area" means an area that is located:

9 (A) outside the boundaries of a primary  
10 metropolitan statistical area or a metropolitan statistical area;

11 (B) within the boundaries of a primary  
12 metropolitan statistical area or a metropolitan statistical area,  
13 if the statistical area has a population of 25,000 or less and does  
14 not share a boundary with an urban area; or

15 (C) in an area that is eligible for federal  
16 financial assistance provided under Section 514, 515, or 516 of the  
17 Housing Act of 1949 (42 U.S.C. Section 1484, 1485, or 1486) [~~funding~~  
18 ~~by the Texas Rural Development Office of the United States~~  
19 ~~Department of Agriculture, other than an area that is located in a~~  
20 ~~municipality with a population of more than 50,000~~].

21 SECTION 2. Section 2306.6702(12), Government Code, is  
22 repealed.

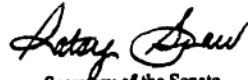
23 SECTION 3. The change in law made by this Act applies only  
24 to an application for financial assistance that is submitted to the

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

8 SECTION 4. This Act takes effect immediately if it receives  
9 a vote of two-thirds of all the members elected to each house, as  
10 provided by Section 39, Article III, Texas Constitution. If this  
11 Act does not receive the vote necessary for immediate effect, this  
12 Act takes effect September 1, 2013.

# ADOPTED

MAY 15 2013

  
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY: Zaffirini

1 Amend H.B. No. 429 (senate committee report) as follows:

2 (1) In SECTION 1 of the bill, in Section 2306.004(28-a)(A),  
3 Government Code (page 1, line 24), immediately following the  
4 semicolon, insert "or".

5 (2) In SECTION 1 of the bill, in Section 2306.004(28-a)(B),  
6 Government Code (page 1, line 28), strike "; or" and substitute "[  
7 ~~or~~".

8 (3) In SECTION 1 of the bill, strike amended Section  
9 2306.004(28-a)(C), Government Code (page 1, lines 29-34), and  
10 substitute the following:

11 [~~(C) in an area that is eligible for funding by~~  
12 ~~the Texas Rural Development Office of the United States Department~~  
13 ~~of Agriculture, other than an area that is located in a municipality~~  
14 ~~with a population of more than 50,000].~~

15 (4) On page 1, lines 37-50, strike SECTIONS 3 and 4 of the  
16 bill.

17 (5) Add the following appropriately numbered SECTIONS to  
18 the bill and renumber subsequent SECTIONS of the bill accordingly:

19 SECTION \_\_\_\_\_. Section 2306.111, Government Code, is amended  
20 by adding Subsection (d-4) to read as follows:

21 (d-4) Notwithstanding any other law, a proposed or existing  
22 development that, before September 1, 2013, has been awarded or has  
23 received federal financial assistance provided under Section 514,  
24 515, or 516 of the Housing Act of 1949 (42 U.S.C. Section 1484,  
25 1485, or 1486) may apply for low income housing tax credits  
26 allocated under Subsection (d-2) or (d-3) for the uniform state  
27 service region in which the development is located regardless of  
28 whether the development is located in a rural area.

29 SECTION \_\_\_\_\_. The change in law made by this Act in amending

1 Section 2306.004(28-a), Government Code, applies only to an  
2 application for financial assistance that is submitted by a housing  
3 development to the Texas Department of Housing and Community  
4 Affairs on or after September 1, 2013. An application for financial  
5 assistance that is submitted by a housing development to the  
6 department before September 1, 2013, is governed by the law in  
7 effect when the application was submitted, and the former law is  
8 continued in effect for that purpose.

9 SECTION \_\_\_\_\_. This Act takes effect September 1, 2013.

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**May 17, 2013**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB429** by Guillen (Relating to the definition of rural area for purposes of certain housing assistance administered by the Texas Department of Housing and Community Affairs.),  
**As Passed 2nd House**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Government Code relating to the definition of rural area for purposes of certain housing assistance administered by the Texas Department of Housing and Community Affairs.

Based on information provided by the Department of Housing and Community Affairs, it is assumed that duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 332 Department of Housing and Community Affairs

**LBB Staff:** UP, KKR, MW, NV

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**May 6, 2013**

**TO:** Honorable Juan Hinojosa, Chair, Senate Committee on Intergovernmental Relations

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB429** by Guillen (Relating to the definition of rural area for purposes of certain housing assistance administered by the Texas Department of Housing and Community Affairs.),  
**As Engrossed**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Government Code relating to the definition of rural area for purposes of certain housing assistance administered by the Texas Department of Housing and Community Affairs.

Based on information provided by the Department of Housing and Community Affairs, it is assumed that duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 332 Department of Housing and Community Affairs

**LBB Staff:** UP, KKR, MW, NV

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**April 2, 2013**

**TO:** Honorable Harold V. Dutton, Jr., Chair, House Committee on Urban Affairs

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB429** by Guillen (relating to the definition of rural area for purposes of certain housing assistance administered by the Texas Department of Housing and Community Affairs.),  
**Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Government Code relating to the definition of rural area for purposes of certain housing assistance administered by the Texas Department of Housing and Community Affairs.

Based on information provided by the Department of Housing and Community Affairs, it is assumed that duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 332 Department of Housing and Community Affairs

**LBB Staff:** UP, KKR, MW, NV

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**March 5, 2013**

**TO:** Honorable Harold V. Dutton, Jr., Chair, House Committee On Urban Affairs

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB429** by Guillen (Relating to the allocation of low income housing tax credits for housing in rural areas.), **As Introduced**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Government Code relating to the allocation of low income housing tax credits for housing in rural areas.

Based on information provided by the Department of Housing and Community Affairs, it is assumed that duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 332 Department of Housing and Community Affairs

**LBB Staff:** UP, KKR, MW, NV