

House Bill 74
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Sections 2306.004(28-a) and (36), Government Code, are amended to read as follows:

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

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

(B) within the boundaries of a primary metropolitan statistical area or a metropolitan statistical area, if the ~~statistical~~ area:

(i) has a population of 25,000 or less and does not share a boundary with an urban area; or

(ii) is designated by the department as a rural area under Section 2306.0075.

(36) "Urban area" means the area that is located within the boundaries of a primary metropolitan statistical area or a metropolitan statistical area other than an area described by Subdivision (28-a)(B) ~~or eligible for funding as described by Subdivision (28-a)(C)].~~

SECTION 2. Subchapter A, Chapter 2306, Government Code, is amended by adding Section 2306.0075 to read as follows:

Sec. 2306.0075. DESIGNATION OF CERTAIN AREAS AS RURAL. (a) This section applies only to an area that:

(1) is located within the boundaries of a primary metropolitan statistical area or a metropolitan statistical area; and

(2) has a population of 25,000 or less.

(b) The department shall designate a statistical area described by Subsection (a) as a rural area under Section 2306.004(28-a)(B)(ii) for purposes of receiving financial assistance administered by the department under this chapter if the

SENATE VERSION (IE)

SECTION 1. Sections 2306.6702(a), Government Code, is amended by adding Subdivisions (12) and (17) to read as follows:

(12) "Rural area" means an area that is:

(A) described by Section 2306.004(28-a); or

(B) designated by the department as a rural area under Section 2306.6740.

(17) "Urban area" means the area that is located within the boundaries of a primary metropolitan statistical area or a metropolitan statistical area other than an area:

(A) described by Section 2306.004 (28-a)(B); or

(B) designated by the department as a rural area under Section 2306.6740.

SECTION 2. Subchapter DD, Chapter 2306, Government Code, is amended by adding Section 2306.6740 to read as follows:

Sec. 2306.6740. DESIGNATION OF CERTAIN AREAS AS RURAL. (a) The department by rule shall provide for the

designation by the department of an area located within the boundaries of a primary metropolitan statistical area or a metropolitan statistical area as a rural area under Section 2306.6702(a)(12)(B) for purposes of receiving housing tax credits administered by the department under this subchapter.

CONFERENCE

House Bill 74
Senate Amendments
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HOUSE VERSION

department receives an ordinance or order:

- (1) adopted by the governing body of the applicable political subdivision seeking the designation described by this subsection; and
- (2) stating that the statistical area is a rural area for purposes of receiving the financial assistance.

(c) For purposes of Subsection (b), the governing body of a census-designated place identified by the United States Census Bureau is the commissioner's court of the county in which the place is located.

(d) The department shall adopt rules ensuring that financial assistance provided to a designated rural area complies with any applicable federal requirements regarding that assistance.

SECTION 3. This Act takes effect September 1, 2015.

SENATE VERSION (IE)

(b) Rules adopted under this section must:

- (1) provide procedures by which a political subdivision or a census-designated place may apply for a rural designation;
- (2) provide guidelines for designating an area as rural, including specifying:
 - (A) conditions under which a rural designation is not appropriate, including the proximity of the area to or the presence of major amenities commonly associated with urban or suburban areas; and
 - (B) conditions under which a rural designation is appropriate, including areas with low population density, the proximity of the area to or the absence of major amenities commonly associated with urban or suburban areas, a high level of undeveloped land, a significant presence of unimproved roads, or significant agricultural activity; and

(3) ensure that any housing tax credits allocated to a designated rural area comply with applicable federal requirements regarding that assistance. [FA1]

SECTION 3. Same as House version.

CONFERENCE