

AN ACT

relating to the allocation of low income housing tax credits.

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

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

Sec. 2306.67022. QUALIFIED ALLOCATION PLAN; MANUAL. (a) At least biennially, the board shall adopt a qualified allocation plan and a corresponding manual to provide information regarding the administration of and eligibility for the low income housing tax credit program. The board may adopt the plan and manual annually, as considered appropriate by the board.

(b) The department may require as part of the threshold criteria under a qualified allocation plan that a proposed development satisfy certain criteria relating to educational quality, as specified by the department in that plan.

(c) The department may not adopt a qualified allocation plan that uses a scoring system that awards points to an application based on criteria relating to the educational quality applicable to a proposed development site.

(d) This subsection and Subsections (b) and (c) expire September 1, 2021.

SECTION 2. (a) The Texas Department of Housing and Community Affairs shall conduct a study of the effects that the implementation of Sections 2306.67022(b) and (c), Government Code,

1 as added by this Act, has on the allocation of low income housing  
2 tax credits in this state.

3 (b) Not later than January 1, 2021, the Texas Department of  
4 Housing and Community Affairs shall submit to the governor, the  
5 lieutenant governor, the speaker of the house of representatives,  
6 and each standing committee of the legislature with jurisdiction  
7 over affordable housing a report regarding the study required by  
8 Subsection (a) of this section.

9 SECTION 3. The change in law made by this Act applies only  
10 to an application for low income housing tax credits that is  
11 submitted to the Texas Department of Housing and Community Affairs  
12 during an application cycle that is based on the 2020 qualified  
13 allocation plan or a subsequent plan adopted by the governing board  
14 of the department under Section [2306.67022](#), Government Code, as  
15 amended by this Act. An application that is submitted during an  
16 application cycle that is based on an earlier qualified allocation  
17 plan is governed by the law in effect on the date the application  
18 cycle began, and the former law is continued in effect for that  
19 purpose.

20 SECTION 4. This Act takes effect September 1, 2019.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 1215 was passed by the House on May 8, 2019, by the following vote: Yeas 132, Nays 12, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1215 on May 24, 2019, by the following vote: Yeas 139, Nays 4, 1 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 1215 was passed by the Senate, with amendments, on May 22, 2019, by the following vote: Yeas 30, Nays 1.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor