

By: Collier

H.B. No. 1215

A BILL TO BE ENTITLED

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) With respect to the 2019 application cycle, the board shall ensure that the 2018 qualified allocation plan conforms to the requirements of Subsections (b) and (c) and shall amend the plan as necessary for that purpose. This subsection expires January 1, 2020.

1 SECTION 2. (a) Except as provided by Subsection (b) of this
2 section, the change in law made by this Act applies only to an
3 application for low income housing tax credits that is submitted to
4 the Texas Department of Housing and Community Affairs during an
5 application cycle that is based on the 2020 qualified allocation
6 plan or a subsequent plan adopted by the governing board of the
7 department under Section [2306.67022](#), Government Code, as amended by
8 this Act. An application that is submitted during an application
9 cycle that is based on an earlier qualified allocation plan is
10 governed by the law in effect on the date the application cycle
11 began, and the former law is continued in effect for that purpose.

12 (b) The change in law made by this Act in adding Section
13 [2306.67022](#)(d), Government Code, applies only to an application for
14 low income housing tax credits that is submitted to the Texas
15 Department of Housing and Community Affairs during the 2019
16 application cycle.

17 SECTION 3. This Act takes effect September 1, 2019.