

AN ACT

relating to the allocation of housing tax credits to developments within proximate geographical areas.

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

SECTION 1. Section 2306.6711, Government Code, is amended by amending Subsection (f) and adding Subsection (f-1) to read as follows:

(f) Except as provided by Subsection (f-1), the [The] board may allocate housing tax credits to more than one development in a single community, as defined by department rule, in the same calendar year only if the developments are or will be located more than two linear miles apart. This subsection applies only to communities contained within counties with populations exceeding one million.

(f-1) The board may allocate housing tax credits to more than one development in a single community only if:

(1) the community is located in:

(A) a municipality with a population of two million or more; and

(B) an area that is a federally declared disaster area; and

(2) the governing body of the municipality containing the development:

(A) has by vote specifically authorized the

1 allocation of housing tax credits for the development; and  
2 (B) is authorized to administer disaster  
3 recovery funds as a subgrant recipient.

4 SECTION 2. The changes in law made by this Act apply only to  
5 an application for low income housing tax credits that is submitted  
6 to the Texas Department of Housing and Community Affairs during an  
7 application cycle that is based on the 2020 qualified allocation  
8 plan or a subsequent plan adopted by the governing board of the  
9 department. An application that is submitted during an application  
10 cycle that is based on an earlier qualified allocation plan is  
11 governed by the law in effect on the date the application cycle  
12 began, and the former law is continued in effect for that purpose.

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

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 493 passed the Senate on April 17, 2019, by the following vote: Yeas 30, Nays 1; and that the Senate concurred in House amendment on May 21, 2019, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 493 passed the House, with amendment, on May 9, 2019, by the following vote: Yeas 107, Nays 26, two present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor