

By: Alvarado
(Thompson of Harris, Allen, Farrar, Morales,
Rodriguez, et al.)

S.B. No. 493

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the allocation of housing tax credits to developments
3 within proximate geographical areas.

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

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

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

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

17 (1) the community is located in:

18 (A) a county with a population of four million or
19 more; and

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

22 (2) the governing body of the municipality containing
23 the development or, if located outside a municipality, the county
24 containing the development:

1 (A) has by vote specifically authorized the
2 allocation of housing tax credits for the development; and

3 (B) is authorized to administer disaster
4 recovery funds as a subgrant recipient.

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

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