

By: Rodriguez

H.B. No. 1295

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-2) to read as
7 follows:

8 (f) Except as provided by Subsections [~~Subsection~~] (f-1)
9 and (f-2), the board may allocate housing tax credits to more than
10 one development in a single community, as defined by department
11 rule, in the same calendar year only if the developments are or will
12 be located more than two linear miles apart. This subsection
13 applies only to communities contained within counties with
14 populations exceeding one million.

15 (f-2) The board may allocate housing tax credits to more
16 than one development in a single community only if:

17 (1) at least one of the developments will be located
18 wholly within a census tract in which the median value of
19 owner-occupied homes has increased by 15 percent or more within the
20 five years preceding the date of the application;

21 (2) the governing body of the municipality containing
22 the development or, if located outside a municipality, the county
23 containing the development adopts a resolution that references this
24 section and authorizes an allocation of housing tax credits for the

1 development; and

2 (3) the applicant for the development includes in the
3 application a copy of the resolution described by Subdivision (2).

4 SECTION 2. The change in law made by this Act applies only
5 to an application for low income housing tax credits that is
6 submitted to the Texas Department of Housing and Community Affairs
7 during an application cycle that is based on the 2022 qualified
8 allocation plan or a subsequent plan adopted by the governing board
9 of the department. An application that is submitted during an
10 application cycle that is based on an earlier qualified allocation
11 plan is governed by the law in effect on the date the application
12 cycle began, and the former law is continued in effect for that
13 purpose.

14 SECTION 3. This Act takes effect September 1, 2021.