

By: Lucio

S.B. No. 1984

A BILL TO BE ENTITLED

AN ACT

relating to private activity bonds.

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

SECTION 1. Section 1372.061, Government Code, is amended by amending Subsection (b) to read as follows:

(b) The board shall designate as carryforward:

(1) a reservation amount for which the board receives written notice from an issuer of an election to carry forward the reservation under Section 1327.042(c) if the bonds relating to the reservation are not required to close by December 31 of the year in which the reservation is granted; or

(2) the amount previously designated to an issuer under Subsection (a) and for which the board receives written notice from an issuer of an election to reassign the carryforward designation under Section 1372.074.

SECTION 2. Section 1372.074, Government Code, is amended by amending Subsections (a) and (b) to read as follows:

(a) After one year from the initial carryforward designation, an issuer may elect to reassign all or part of the carryforward designation in accordance with Section 1372.061(b) to the issuer's next available application ~~[a new project]~~ if the issuer provides:

(1) ~~[the designation on a form described by Section 1372.070,~~

1 ~~(2)~~] a written withdrawal request signed by an
2 authorized representative of the issuer;

3 (2) [~~(3)~~] the issuing board resolution authorizing the
4 carryforward designation reassignment with an original signature
5 by an officer of the issuer;

6 (3) [~~(4)~~] any applicable fees under Section 1372.006;

7 (4) [~~(5)~~] an opinion of legal counsel stating that the
8 carryforward designation reassignment does not conflict with
9 Section 146, Internal Revenue Code of 1986; and

10 (5) [~~(6)~~] any other information required by the board.

11 (b) A [~~new~~] project that is reassigned a carryforward
12 designation under this section must close within the time period
13 allowed by the Internal Revenue Code of 1986.

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