

BILL ANALYSIS

H.B. 293
By: Swanson
Intergovernmental Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill author has informed the committee that the legislature recently caused to be enacted many necessary transparency and notification reforms for low income housing tax credits, including authorizing legislators to support, oppose, and abstain from articulating a position on developments within their districts. H.B. 293 seeks to apply similar transparency and advocacy requirements to the non-competitive housing tax credit program.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Department of Housing and Community Affairs in SECTION 2 of this bill.

ANALYSIS

H.B. 293 amends the Government Code to require an applicant for low income housing tax credits for developments financed through the private activity bond program, before submitting the application to the Texas Department of Housing and Community Affairs (TDHCA), to provide notice of the intent to file the application to the state representative who represents the district containing the proposed development site. The bill prohibits the governing board of TDHCA from approving such an application if the state representative submits to TDHCA a letter opposing the development, regardless of whether the applicant has submitted to TDHCA a certified copy of a resolution from each applicable governing body certifying that the governing body does not object to the proposed application. The bill authorizes TDHCA by rule to provide for the time and manner of the submission of an opposition letter.

H.B. 293 applies only to an application for low income housing tax credits that is submitted to TDHCA during an application cycle that is based on the 2026 qualified allocation plan or a subsequent plan adopted by the governing board of TDHCA. An application that is submitted during an application cycle that is based on an earlier qualified allocation plan is governed by the law in effect on the date the application cycle began, and the former law is continued in effect for that purpose.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2025.