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H.B. No. 4398

A BILL TO BE ENTITLED

1 AN ACT
2 relating to municipal permitting requirements for certain
3 development projects supported with low income housing tax credit
4 allocations.

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

6 SECTION 1. Subchapter Z, Chapter 214, Local Government
7 Code, is amended by adding Section 214.9041 to read as follows:

8 Sec. 214.9041. EXPEDITED REVIEW OF BUILDING PERMITS IN
9 CERTAIN MUNICIPALITIES; AFFORDABLE HOUSING PROJECTS. (a) This
10 section applies only to a municipality with a population of more
11 than 100,000.

12 (b) In this section, "affordable housing project" means a
13 housing development project that has received an allocation of low
14 income housing tax credits under Subchapter DD, Chapter 2306,
15 Government Code.

16 (c) An application for a building permit for an affordable
17 housing project submitted to a municipality for review must be
18 granted or denied by the municipality in no more than 50 percent of
19 the time allotted by the municipality to grant or deny any
20 residential building permit application.

21 (d) If the municipality has adopted an accelerated
22 residential building permit review process, an applicant for a
23 building permit for an affordable housing project shall be allowed
24 to submit the application for review under the accelerated process.

1 (e) This section applies only to the process to obtain a
2 municipal building permit authorized or required under this
3 chapter. Nothing in this section may be construed to affect
4 municipal zoning.

5 SECTION 2. Section 214.9041, Local Government Code, as
6 added by this Act, applies only to an application for a building
7 permit submitted on or after the effective date of this Act.

8 SECTION 3. This Act takes effect September 1, 2025.