

AN ACT

relating to the required use of tax increment financing to provide affordable housing in certain reinvestment zones.

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

SECTION 1. Section 311.011, Tax Code, is amended by adding Subsection (h) to read as follows:

(h) This subsection applies only to a zone that is located in a county with a population of more than 800,000 and less than 1.4 million, is designated on or after January 1, 2005, and is or will be served by a rail transportation project as defined by general law. The project plan for the zone must:

(1) contain a residential component that includes the construction of affordable housing in the zone;

(2) require that at least 25 percent of the tax increment of the zone be used to acquire necessary real property and construct the affordable housing until at least 10 percent of the total square footage in the residential component as shown in the project plan consists of multifamily rental properties and single-family dwellings, half of which are affordable to individuals or families with incomes at or below 30 percent of the area median income, as determined by the Texas Department of Housing and Community Affairs, adjusted for family size, and half of which are affordable to individuals or families with incomes above 30 percent and below 50 percent of the adjusted area median

1 income;

2 (3) require that the affordable housing consisting of
3 rental properties continue to be affordable for at least 30 years
4 from the date of construction and that the affordable housing
5 consisting of owner-occupied single-family dwellings continue to
6 be affordable for at least 10 years from the date of construction;
7 and

8 (4) include policies that govern the administration of
9 the affordability terms for affordable housing consisting of rental
10 properties and of owner-occupied single-family dwellings.

11 SECTION 2. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2005.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 833 passed the Senate on May 5, 2005, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 24, 2005, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 833 passed the House, with amendment, on May 20, 2005, by the following vote: Yeas 139, Nays 0, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor