

1-1 By: Alvarado (Senate Sponsor - Nichols) H.B. No. 3311
 1-2 (In the Senate - Received from the House May 11, 2015;
 1-3 May 15, 2015, read first time and referred to Committee on
 1-4 Intergovernmental Relations; May 22, 2015, reported favorably by
 1-5 the following vote: Yeas 6, Nays 0; May 22, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7	X			
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	

1-15 A BILL TO BE ENTITLED
 1-16 AN ACT

1-17 relating to the scoring criteria for an application for a low income
 1-18 housing tax credit and the allocation of those credits to
 1-19 developments reserved for elderly persons.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 2306.6711, Government Code, is amended
 1-22 by adding Subsections (h) and (i) to read as follows:

1-23 (h) Notwithstanding Section 2306.6710(d), and except as
 1-24 necessary to comply with the nonprofit set-aside required by
 1-25 Section 42(h)(5), Internal Revenue Code of 1986 (26 U.S.C. Section
 1-26 42(h)(5)), the board may not allocate to developments reserved for
 1-27 elderly persons and located in an urban subregion of a uniform state
 1-28 service region a percentage of the available housing tax credits
 1-29 allocated to developments located in that subregion that is greater
 1-30 than the percentage that results from the following formula, unless
 1-31 there are no other qualified applicants in that region:

$$1-32 \quad MP = [(LEH - ERU)/(TLH - TEU)] \times 100$$

1-33 where:

1-34 "MP" is the maximum percentage of the available housing tax
 1-35 credits allocated to developments in the subregion that may be
 1-36 allocated to developments reserved for elderly persons;

1-37 "LEH" is the number of low income elderly households in the
 1-38 subregion;

1-39 "ERU" is the number of existing units reserved for elderly
 1-40 persons in developments located in the subregion that already
 1-41 receive housing tax credits;

1-42 "TLH" is the total number of low income households in the
 1-43 subregion; and

1-44 "TEU" is the total number of existing units in developments
 1-45 located in the subregion that already receive housing tax credits.

1-46 (i) Subsection (h) applies only to a uniform state service
 1-47 region that contains a county with a population of more than one
 1-48 million.

1-49 SECTION 2. Section 2306.6725(d), Government Code, is
 1-50 amended to read as follows:

1-51 (d) For each scoring criterion, the department shall use a
 1-52 range of points to evaluate the degree to which a proposed project
 1-53 satisfies the criterion. The department may not award:

1-54 (1) a number of points for a scoring criterion that is
 1-55 disproportionate to the degree to which a proposed project complies
 1-56 with that criterion; or

1-57 (2) to a proposed project for the general population a
 1-58 number of points for a scoring criterion that is different than the
 1-59 number of points awarded for that criterion to a proposed project
 1-60 reserved for elderly persons if the proposed projects comply with
 1-61 the criterion to the same degree.

2-1 SECTION 3. (a) The change in law made by this Act to
2-2 Section 2306.6711, Government Code, applies only to the allocation
2-3 of low income housing tax credits for an application cycle that
2-4 begins on or after the effective date of this Act. The allocation
2-5 of low income housing tax credits for an application cycle that
2-6 begins before the effective date of this Act is governed by the law
2-7 in effect on the date the application cycle began, and the former
2-8 law is continued in effect for that purpose.

2-9 (b) The change in law made by this Act to Section
2-10 2306.6725(d), Government Code, applies only to an application for
2-11 low income housing tax credits that is submitted to the Texas
2-12 Department of Housing and Community Affairs during an application
2-13 cycle that begins on or after the effective date of this Act. An
2-14 application that is submitted during an application cycle that
2-15 began before the effective date of this Act is governed by the law
2-16 in effect at the time the application cycle began, and the former
2-17 law is continued in effect for that purpose.

2-18 SECTION 4. This Act takes effect September 1, 2015.

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