

By: Alvarado

H.B. No. 3685

A BILL TO BE ENTITLED

AN ACT

relating to the administration of the low income housing tax credit program by the Texas Department of Housing and Community Affairs.

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

SECTION 1. Section 2306.67022, Government Code, is amended to read as follows:

Sec. 2306.67022. QUALIFIED ALLOCATION PLAN; MANUAL. (a) At least biennially, the board shall adopt a qualified allocation plan and a corresponding manual to provide information regarding the administration of and eligibility for the low income housing tax credit program. The board may adopt the plan and manual annually, as considered appropriate by the board.

(b) The department shall ensure that a qualified allocation plan adopted under this section complies with all federal and state fair housing laws and may not implement a qualified allocation plan or a component of that plan in a manner that does not comply with those laws.

SECTION 2. Section 2306.6710(a), Government Code, is amended to read as follows:

(a) In evaluating an application, the department shall determine whether the application satisfies the threshold criteria required by the board in the qualified allocation plan. The department shall reject and return to the applicant any application that fails to satisfy the threshold criteria. On rejection and

1 return of an application under this subsection, the department  
2 shall include an explanation of the reason the application fails to  
3 satisfy the threshold criteria.

4       SECTION 3. The change in law made by this Act applies only  
5 to an application for low income housing tax credits that is  
6 submitted to the Texas Department of Housing and Community Affairs  
7 during an application cycle that is based on the 2018 qualified  
8 allocation plan or a subsequent plan adopted by the governing board  
9 of the department. An application that is submitted during an  
10 application cycle that is based on an earlier qualified allocation  
11 plan is governed by the law in effect on the date the application  
12 cycle began, and the former law is continued in effect for that  
13 purpose.

14       SECTION 4. This Act takes effect September 1, 2017.