



FLOOR AMENDMENT NO. \_\_\_\_\_

1 Amend H.B. No. 3361 (second reading engrossment) as  
2 follows:

3 (1) Strike SECTION 1.08 in ARTICLE 1 of the bill and  
4 renumber subsequent SECTIONS of the ARTICLE accordingly.

5 (2) Strike SECTION 2.01 in ARTICLE 2 of the bill and  
6 substitute the following:

7 SECTION 2.01. Section 2306.6710, Government Code, is  
8 amended by amending Subsections (b) and (f) and adding  
9 Subsection (g) to read as follows:

10 (b) If an application satisfies the threshold criteria,  
11 the department shall score and rank the application using a  
12 point system that:

13 (1) prioritizes in descending order criteria  
14 regarding:

15 (A) financial feasibility of the development  
16 based on the supporting financial data required in the  
17 application that will include a project underwriting pro forma  
18 from the permanent or construction lender;

19 (B) quantifiable community support  
20 participation with respect to the development, evaluated on  
21 the basis of:

22 (i) a written statement from the state  
23 representative or the state senator who represents the district  
24 containing the proposed development site; or

25 (ii) only if neither a state representative  
26 nor a state senator provides a written statement expressing  
27 either support or opposition under Subparagraph (i) before the  
28 date specified by the department under Subsection (g)(1), a  
29 resolution concerning the development that is voted on and

1       adopted by:

2                    (a)    the governing body of the  
3    municipality in which any part of [written statements from any  
4    neighborhood organizations on record with the state or county in  
5    which the development is to be located and whose boundaries  
6    contain] the proposed development site is to be located;

7                    (b)    the commissioners court of the  
8    county in which the proposed development site is to be located,  
9    if any part of the proposed site is to be located in an area of  
10   a county that is not part of a municipality; or

11                  (c)    the governing bodies of the  
12   municipality and county in which the proposed development site  
13   is to be located, if any part of the proposed site is to be  
14   located in the extraterritorial jurisdiction of a municipality;

15                  (C)    the income levels of tenants of the  
16   development;

17                  (D)    the size and quality of the units;

18                  (E)    the commitment of development funding by  
19   local political subdivisions;

20                  (F)    [the level of community support for the  
21   application, evaluated on the basis of written statements from  
22   the state representative or the state senator that represents  
23   the district containing the proposed development site;

24                  [+G]   the rent levels of the units;

25                  (G)    [+H]   the cost of the development by square  
26   foot;

27                  (H)    [+I]   the services to be provided to tenants  
28   of the development; [and]

29                  (I)    [+J]   whether, at the time the complete  
30   application is submitted or at any time within the two-year  
31   period preceding the date of submission, the proposed

1 development site is located in an area declared to be a disaster  
2 under Section 418.014; and

8 (2) uses criteria imposing penalties on applicants  
9 or affiliates who have requested extensions of department  
10 deadlines relating to developments supported by housing tax  
11 credit allocations made in the application round preceding the  
12 current round or a developer or principal of the applicant that  
13 has been removed by the lender, equity provider, or limited  
14 partners for its failure to perform its obligations under the  
15 loan documents or limited partnership agreement; and

16 (3) encourages applicants to provide free notary  
17 public service to the residents of the developments for which  
18 the allocation of housing tax credits is requested.

19 (f) In evaluating the level of community support for an  
20 application under Subsection (b) (1) (B) (i) [~~(b) (1) (F)~~], the  
21 department shall award:

22 (1) positive points for positive written statements  
23 received:

24 (2) negative points for negative written statements  
25 received: and

(3) zero points for neutral statements received.

27                   (g)    The department by rule shall specify the dates by  
28                   which:

4 (3) Add the appropriately numbered SECTIONS to ARTICLE 2  
5 of the bill and renumber subsequent SECTIONS of the ARTICLE  
6 accordingly:

7 SECTION 2.\_\_\_\_. Section 2306.67021, Government Code, is  
8 amended to read as follows:

9 Sec. 2306.67021. APPLICABILITY OF SUBCHAPTER. Except as  
10 provided by Sections [Section] 2306.6703 and 2306.67071, this  
11 subchapter does not apply to the allocation of housing tax  
12 credits to developments financed through the private activity  
13 bond program.

14 SECTION 2.\_\_\_\_. Subchapter DD, Chapter 2306, Government  
15 Code, is amended by adding Section 2306.67071 to read as  
16 follows:

17 Sec. 2306.67071. ADDITIONAL APPLICATION REQUIREMENT:  
18 NOTICE, HEARING, AND RESOLUTION BY CERTAIN GOVERNING BODIES.  
19 (a) Not later than the 60th day before submitting to the  
20 department an application for housing tax credits, an applicant  
21 must provide notice of the intent to file the application to:

31 (b) Not later than the 30th day after receiving notice

1 under Subsection (a), a county or municipality, as applicable,  
2 shall provide for public comment on the application at a hearing  
3 held in compliance with Chapter 551.

4 (c) In addition to the application information otherwise  
5 required under this subchapter, an application for housing tax  
6 credits must be accompanied by a certified copy of a resolution  
7 from each applicable governing body described by Subsection (a).

8 The resolution must certify that:

9 (1) notice has been provided to each governing body  
10 as required by Subsection (a);

11 (2) each governing body has had sufficient  
12 opportunity to obtain a response from the applicant regarding  
13 any questions or concerns about the proposed development;

14 (3) each governing body has held a hearing under  
15 Subsection (b); and

16 (4) after due consideration of the information  
17 provided by the applicant and public comment, the governing body  
18 does not object to the filing of the proposed application.

19 (d) A preapplication submitted under Section 2306.6704 is  
20 not considered an application for purposes of this section.

21 (4) In SECTION 5.01 of the bill, strike the list of  
22 repealed provisions and substitute the following:

23 (1) Section 2306.255(h); and  
24 (2) Section 2306.560(d).