

BILL ANALYSIS

H.B. 3685
By: Alvarado
Urban Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties identify a need to ensure that a qualified allocation plan for the low income housing tax credit program complies with all federal and state fair housing laws so that no person will be denied the opportunity to live in a quality affordable housing development based on the person's protected class. H.B. 3685 seeks to address this issue by requiring the Texas Department of Housing and Community Affairs to ensure that such a plan complies with such laws.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3685 amends the Government Code to require the Texas Department of Housing and Community Affairs (TDHCA) to ensure that a qualified allocation plan for the low income housing tax credit program complies with all federal and state fair housing laws and to prohibit the TDHCA from implementing a qualified allocation plan or a component of that plan in a manner that does not comply with those laws. The bill requires the TDHCA, on rejection and return of an application for low income housing tax credits for failure to satisfy the threshold criteria, to include an explanation of the reason the application fails to satisfy the criteria. The bill applies only to an application that is submitted to the TDHCA during an application cycle that is based on the 2018 qualified allocation plan or a subsequent plan adopted by the governing board of the TDHCA.

EFFECTIVE DATE

September 1, 2017.