

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

5/21/13
Date

Honorable David Dewhurst
President of the Senate

Honorable Joe Straus
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on HB 429 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

Zaffirini
ZAFFIRINI

Hinojosa
HINOJOSA

Nichols
NICHOLS

Taylor
TAYLOR

Carona
CARONA On the part of the Senate

Guillen
GUILLEN

Lozano
LOZANO

Munoz
MUNOZ

Flynn
FLYNN

Larson
LARSON On the part of the House

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

CONFERENCE COMMITTEE REPORT

3rd Printing

H.B. No. 429

A BILL TO BE ENTITLED

AN ACT

relating to the definition of rural area for purposes of certain housing assistance administered by the Texas Department of Housing and Community Affairs.

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

SECTION 1. Section 2306.004(28-a), Government Code, is amended to read as follows:

(28-a) "Rural area" means an area that is located:

(A) outside the boundaries of a primary metropolitan statistical area or a metropolitan statistical area; or

(B) within the boundaries of a primary metropolitan statistical area or a metropolitan statistical area, if the statistical area has a population of 25,000 or less and does not share a boundary with an urban area[~~+~~ ~~or~~

~~[(C) in an area that is eligible for funding by the Texas Rural Development Office of the United States Department of Agriculture, other than an area that is located in a municipality with a population of more than 50,000].~~

SECTION 2. Section 2306.111, Government Code, is amended by adding Subsection (d-4) to read as follows:

(d-4) A proposed or existing development that, before September 1, 2013, has been awarded or has received federal financial assistance provided under Section 514, 515, or 516 of the

1 Housing Act of 1949 (42 U.S.C. Section 1484, 1485, or 1486) may
2 apply for low income housing tax credits allocated under Subsection
3 (d-2) or (d-3) for the uniform state service region in which the
4 development is located regardless of whether the development is
5 located in a rural area.

6 SECTION 3. Section 2306.6702(12), Government Code, is
7 repealed.

8 SECTION 4. The change in law made by this Act in amending
9 Section 2306.004(28-a), Government Code, applies only to an
10 application for financial assistance that is submitted by a housing
11 development to the Texas Department of Housing and Community
12 Affairs on or after September 1, 2013. An application for financial
13 assistance that is submitted by a housing development to the
14 department before September 1, 2013, is governed by the law in
15 effect when the application was submitted, and the former law is
16 continued in effect for that purpose.

17 SECTION 5. This Act takes effect September 1, 2013.

House Bill 429
Conference Committee Report
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

SECTION 1. Section 2306.004(28-a), Government Code, is amended to read as follows:

(28-a) "Rural area" means an area that is located:

(A) outside the boundaries of a primary metropolitan statistical area or a metropolitan statistical area;

(B) within the boundaries of a primary metropolitan statistical area or a metropolitan statistical area, if the statistical area has a population of 25,000 or less and does not share a boundary with an urban area; ~~or~~

~~(C) in an area that is eligible for federal financial assistance provided under Section 514, 515, or 516 of the Housing Act of 1949 (42 U.S.C. Section 1484, 1485, or 1486) [funding by the Texas Rural Development Office of the United States Department of Agriculture, other than an area that is located in a municipality with a population of more than 50,000].~~

~~No equivalent provision.~~

SECTION 2. Section 2306.6702(12), Government Code, is repealed.

~~No equivalent provision.~~

Associated CCR Draft: 83R29935

SECTION 1. Section 2306.004(28-a), Government Code, is amended to read as follows:

(28-a) "Rural area" means an area that is located:

(A) outside the boundaries of a primary metropolitan statistical area or a metropolitan statistical area; ~~or~~ [FA1(1)]

(B) within the boundaries of a primary metropolitan statistical area or a metropolitan statistical area, if the statistical area has a population of 25,000 or less and does not share a boundary with an urban area; ~~or~~ [FA1(2)]

~~[(C) in an area that is eligible for funding by the Texas Rural Development Office of the United States Department of Agriculture, other than an area that is located in a municipality with a population of more than 50,000].~~ [FA1(3)]

SECTION __. Section 2306.111, Government Code, is amended by adding Subsection (d-4) to read as follows:

~~(d-4) Notwithstanding any other law, a proposed or existing development that, before September 1, 2013, has been awarded or has received federal financial assistance provided under Section 514, 515, or 516 of the Housing Act of 1949 (42 U.S.C. Section 1484, 1485, or 1486) may apply for low income housing tax credits allocated under Subsection (d-2) or (d-3) for the uniform state service region in which the development is located regardless of whether the development is located in a rural area.~~ [FA1(5)]

SECTION 2. Same as House version.

SECTION __. The change in law made by this Act in

SECTION 1. Same as Senate version.

SECTION 2. Section 2306.111, Government Code, is amended by adding Subsection (d-4) to read as follows:

~~(d-4) A proposed or existing development that, before September 1, 2013, has been awarded or has received federal financial assistance provided under Section 514, 515, or 516 of the Housing Act of 1949 (42 U.S.C. Section 1484, 1485, or 1486) may apply for low income housing tax credits allocated under Subsection (d-2) or (d-3) for the uniform state service region in which the development is located regardless of whether the development is located in a rural area.~~

SECTION 3. Same as House version.

SECTION 4. Same as Senate version.

House Bill 429
Conference Committee Report
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

amending Section 2306.004(28-a), Government Code, applies only to an application for financial assistance that is submitted by a housing development to the Texas Department of Housing and Community Affairs on or after September 1, 2013. An application for financial assistance that is submitted by a housing development to the department before September 1, 2013, is governed by the law in effect when the application was submitted, and the former law is continued in effect for that purpose. [FA1(5)]

SECTION 3. The change in law made by this Act applies only to an application for financial assistance that is submitted to the Texas Department of Housing and Community Affairs during an application cycle that begins on or after the effective date of this Act. An application for financial assistance that is submitted during an application cycle that began before the effective date of this Act is governed by the law in effect at the time the application cycle began, and the former law is continued in effect for that purpose.

SECTION 3. [Deleted by FA1(4)]

Same as Senate version.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

SECTION 4. [Deleted by FA1(4)]

Same as Senate version.

No equivalent provision.

SECTION __. This Act takes effect September 1, 2013. [FA1(5)]

SECTION 5. Same as Senate version.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 22, 2013

TO: Honorable David Dewhurst, Lieutenant Governor, Senate
Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB429 by Guillen (Relating to the definition of rural area for purposes of certain housing assistance administered by the Texas Department of Housing and Community Affairs.),
Conference Committee Report

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code relating to the definition of rural area for purposes of certain housing assistance administered by the Texas Department of Housing and Community Affairs.

Based on information provided by the Department of Housing and Community Affairs, it is assumed that duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

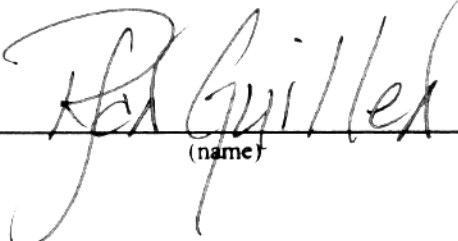
Source Agencies: 332 Department of Housing and Community Affairs

LBB Staff: UP, KKR, MW, NV

Certification of Compliance with Rule 13, Section 6(b), House Rules of Procedure

Rule 13, Section 6(b), House Rules of Procedure, requires that a copy of a conference committee report signed by a majority of each committee of the conference must be furnished to each member of the committee in person or if unable to deliver in person by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Section 10(a) of this rule. The paper copies of the report submitted to the chief clerk under Section 10(b) of this rule must contain a certificate that the requirement of this subsection has been satisfied, and that certificate must be attached to the printed copy of the report furnished to each member under Section 10(d) of this rule. Failure to comply with this subsection is not a sustainable point of order under this rule.

I certify that a copy of the conference committee report on H. B. 429 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before submission of the paper copies of the report to the chief clerk under Section 10(b), Rule 13, House Rules of Procedure.


(name)

5.22.13
(date)