(c) A loan for which taxes or bonds are pledged must mature not later than the first anniversary of the date the loan is made. A loan for which district revenue is pledged must mature not later than the fifth anniversary of the date the loan is made.

SECTION 6. Article 6, Chapter 1047, Acts of the 68th Legislature, Regular Session, 1983, is amended by adding Sections 6.12 and 6.13 to read as follows:

Sec. 6.12. ADDITIONAL MEANS OF SECURING REPAYMENT OF BONDS. In addition to the authority to issue general obligation bonds and revenue bonds under this article, the board may provide for the security and payment of district bonds from a pledge of a combination of ad valorem taxes as authorized by Section 6.02 of this Act and revenue and other sources authorized by Section 6.04 of this Act.

Sec. 6.13. USE OF BOND PROCEEDS. The district may use the proceeds of bonds issued under this article to pay:

1. any expense the board determines is reasonable and necessary to issue, sell, and deliver the bonds;
2. interest payments on the bonds during a period of acquisition or construction of a project or facility to be provided through the bonds, not to exceed five years;
3. costs related to the operation and maintenance of a project or facility to be provided through the bonds:
   A. during an estimated period of acquisition or construction, not to exceed five years; and
   B. for one year after the project or facility is acquired or constructed;
4. costs related to the financing of the bond funds, including debt service reserve and contingency funds;
5. costs related to the bond issuance;
6. costs related to the acquisition of land or interests in land for a project or facility to be provided through the bonds; and
7. costs of construction of a project or facility to be provided through the bonds, including the payment of related professional services and expenses.

SECTION 7. 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, 2009.

Passed by the House on May 5, 2009: Yeas 144, Nays 0, 1 present, not voting; passed by the Senate on May 27, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

CHAPTER 1019

H.B. No. 4275

AN ACT
relating to the application process and scoring for the low income housing tax credit program.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter DD, Chapter 2306, Government Code, is amended by adding Section 2306.6736 to read as follows:

Sec. 2306.6736. LOW INCOME HOUSING TAX CREDITS FINANCED UNDER AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009. (a) To the extent the department receives federal funds under the American Recovery and Reinvestment Act of 2009 (Pub. L. No. 111-5) or any subsequent law (including any extension or renewal thereof)
that requires the department to award the federal funds in the same manner and subject to the same limitations as awards of housing tax credits, the following provisions shall apply.

(b) Any reference in this chapter to the administration of the housing tax credit program shall apply equally to the administration of such federal funds, except:

(1) the department may establish a separate application procedure for such funds, outside of the uniform application cycle referred to in Section 2306.1111 and the deadlines established in Section 2306.6724, and any reference herein to the application period shall refer to the period beginning on the date the department begins accepting applications for such funds and continuing until all such available funds are awarded;

(2) unless reauthorized, this section is repealed on August 31, 2011.

SECTION 2. Subchapter DD, Chapter 2306, Government Code, is amended by adding Section 2306.6737 to read as follows:

Sec. 2306.6737. ASSISTANCE FROM AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009. If allowed by federal law, the department shall, under any federally funded program resulting from the American Recovery and Reinvestment Act of 2009 (Pub. L. No. 111–5), secure the interests of the state through bonds, an ownership interest in property, restrictive covenants filed in the real property records, and/or liens filed on a property for which the applicant has accepted funds until such a time as the department and the State of Texas do not have liability to repay or recapture such funds.

SECTION 3. It is the intent of the legislature that the passage by the 81st Legislature, Regular Session, 2009, of another bill that amends Chapter 2306, Government Code, and the amendments made by this Act shall be harmonized, if possible, as provided by Section 311.025(b), Government Code, so that effect may be given to each. If the amendments made by this Act to Chapter 2306, Government Code, and the amendments made to Chapter 2306, Government Code, by any other bill are irreconcilable, it is the intent of the legislature that this Act prevail, regardless of the relative dates of enactment of this Act and the other bill or bills, but only to the extent that any differences are irreconcilable.

SECTION 4. The changes in law made by this Act relating to the evaluation of applications for financial assistance administered by the Texas Department of Housing and Community Affairs apply only to an application submitted on or after the effective date of this Act. An application submitted before the effective date of this Act is governed by the law in effect when the application was submitted, and the former law is continued in effect for that purpose.

SECTION 5. 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, 2009.

Passed by the House on May 5, 2009: Yeas 140, Nays 4, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 4275 on May 29, 2009, and requested the appointment of a conference committee to consider the differences between the two houses; the House adopted the conference committee report on H.B. No. 4275 on May 31, 2009: Yeas 139, Nays 6, 2 present, not voting; passed by the Senate, with amendments, on May 27, 2009: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; the Senate adopted the conference committee report on H.B. No. 4275 on May 31, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.