

AN ACT relating to the distribution of federal low-income housing tax credits.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 198A IS CREATED TO READ AS FOLLOWS:

- (1) When a person applying to the Kentucky Housing Corporation for a reservation of the tax credits allowed in accordance with 26 U.S.C. sec. 42 of the Internal Revenue Code, the low-income housing tax credit, submits the application to the corporation, that person shall simultaneously notify, in writing, the chief executive officer of the city, county, urban-county government, charter county government, consolidated local government, or unified local government in which the project is immediately located, or intended to be located, that an application has been submitted to the corporation and that the notice is being made pursuant to this section of the Kentucky Revised Statutes. If a project is within the corporate boundaries of a city, notice to the county shall not be necessary. The written notice shall identify the property or properties that are the subject of the application by address, shall provide a description of the project or projects, and shall include contact information for the applicant.*
- (2) The chief executive officer of the local government notified in accordance with subsection (1) of this section shall immediately post an advertisement to the Internet Web site affiliated with the local government that contains other information about the particular local government. The advertisement shall remain on the Internet Web site for at least twenty-one (21) days including the initial publication date. If the local government does not have a Web site meeting the criteria of this subsection, then the chief executive officer shall submit an advertisement for publication in the local newspaper pursuant to KRS Chapter 424. The local government may recoup the actual cost of the advertisement from the person submitting the application for a tax credit reservation.*

- (3) The advertisement, no matter the mode of publication, shall contain a statement that an application for federal low-income housing tax credits has been submitted to the Kentucky Housing Corporation, shall identify the property or properties that are the subject of the application by address, shall provide a description of the project or projects, and shall state that a public hearing hosted by the Kentucky Housing Corporation may be convened in Frankfort on the project or projects if a request for one is received by the Kentucky Housing Corporation within twenty-one (21) days of the publication of the advertisement.
- (4) The advertisement shall contain contact information for the designated personnel affiliated with the Kentucky Housing Corporation who will coordinate the public hearing. The Kentucky Housing Corporation may require additional information to be included in the advertisement that is calculated to provide sufficient information to interested parties to contact the corporation in order to have a hearing scheduled.
- (5) The chief executive officer of the local government shall, upon publication of the advertisement either on the Internet Web site or in the newspaper, forward a copy of the advertisement that includes the date of publication to the Kentucky Housing Corporation to an address designated by it under the provisions of Section 2 of this Act.

➔SECTION 2. A NEW SECTION OF KRS CHAPTER 198A IS CREATED TO READ AS FOLLOWS:

- (1) The Kentucky Housing Corporation shall conduct a public hearing on a project requesting a reservation of the tax credits allowed in accordance with 26 U.S.C. sec. 42 of the Internal Revenue Code, the low-income housing tax credit, if it receives a request from an interested party pursuant to Section 1 of this Act within twenty-one (21) days of the publication of the notice set out in that section.
- (2) The corporation may conduct more than one (1) public hearing on different

projects on the same day if the scheduling permits adequate time for public input. The corporation may set rules for the conduct of the public hearings, including but not limited to providing time limits for presentations. These rules shall be promulgated in administrative regulations pursuant to KRS Chapter 13A.

- (3) The corporation shall provide to each legislative body of a local government responsible for advertising a project pursuant to Section 1 of this Act contact information for any person designated to coordinate the scheduling of the public hearings set out in this section and shall provide an address for receiving copies of the newspaper advertisements pursuant to Section 1 of this Act.
- (4) The corporation shall make a schedule of hearings being conducted available upon request and shall post the schedule on its Web site in a manner that is calculated to allow easy access to the public to locate the schedule and to identify a particular hearing.
- (5) The corporation's board of directors shall establish a method of considering the public's input relating to the particular project and shall set it forth in administrative regulations pursuant to KRS Chapter 13A. Projects deemed favorable by the corporation based upon its consideration of the public input shall receive additional consideration by the corporation in calculating the scores for a particular project. The methodology shall be set out in the yearly qualified allocation plan that the corporation creates beginning with the Fiscal Year 2017 plan.
- (6) If an applicant fails to notify the local government pursuant to Section 1 of this Act, then the application shall not be considered by the corporation.
- (7) The Kentucky Housing Corporation shall promulgate administrative regulations in accordance with KRS Chapter 13A to effect the provisions of this section and Section 1 of this Act.