

# Community Reinvestment In Texas

Fiscal Years 2019-2023



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# **Community Reinvestment in Texas Past and Future – Fiscal 2019-2023**

#### Introduction

The Community Reinvestment Work Group (Work Group) was created in 1999 by the 76th Texas Legislature to collaborate with the financial industry to develop statewide community reinvestment strategies. This Work Group is authorized by Finance Code, Chapter 395 to develop community reinvestment strategies that can include investment pools and other investment vehicles, and financial literacy education, used to leverage private capital from banks and insurance companies and other entities for community projects, as well as financial education outreach efforts.

The Community Reinvestment Work Group includes representatives from the:

- Texas Comptroller of Public Accounts (CPA).
- Texas Department of Banking (DOB).
- Governor's Office Economic Development and Tourism (EDT).
- Texas Department of Housing and Community Affairs (TDHCA).
- Texas Department of Insurance (TDI).

The Work Group has encapsulated its community reinvestment programs and gauges for the effectiveness of its policies, plans and strategies. Other state agencies, such as the Texas Department of Agriculture (TDA), have contributed to this Work Group and are included in this update.

This publication provides a synopsis of the Community Reinvestment Act (CRA); features national and state financial standards; and depicts small farm, community development and small business lending in Texas. Also highlighted are state agencies' community reinvestment goals, strategies and instances of Texas community reinvestment initiatives, plus financial literacy workshops and surveys held across the state.

The primary statutory responsibilities for the agencies comprising the Work Group as well as other participating agencies are as follows:

#### **Texas Comptroller of Public Accounts**

The Comptroller is Texas' chief tax collector, accountant, revenue estimator, treasurer and purchasing manager. The agency is responsible for writing the checks and keeping the books for the multi-billion-dollar business of state government. As chief financial officer, the Comptroller's office collects taxes and fees owed the state. Most of the office's duties and powers are enumerated in the Texas Tax Code and in Chapter 403 of the Texas Government Code. As guardian of the state's fiscal affairs, other agencies depend on the Comptroller's office to pay their bills and issue paychecks to state employees. Legislators rely on the Comptroller's office to chart the course of the Texas economy, produce annual financial reports and estimate future state revenues. Also, as the state's cashier, the Comptroller's office receives, disburses, counts, safeguards, records, allocates, manages and reports on the state's cash. In addition, the Texas Comptroller chairs the state's Treasury Safekeeping Trust, which invests, manages and oversees more than \$130 billion in assets. Lastly, the Comptroller's office is also the state's purchasing manager, awarding and managing hundreds of statewide contracts on behalf of more than 200 state agencies and 1,600 cooperative purchasing members.\(^1\)



The 76th Texas Legislature created the Community Reinvestment Work Group to collaborate with the financial industry to develop statewide community reinvestment strategies.

#### **Texas Department of Banking**

The DOB's mission is to ensure Texas has a safe, sound and competitive financial services system. Statutory duties of the DOB include the chartering or licensing, regulation, supervision and examination of state-chartered commercial banks; state-chartered trust companies; bank holding companies; foreign bank offices; money services businesses; perpetual care cemeteries (death care provider); and prepaid funeral contract providers (death care provider). The DOB also registers check verification companies.

#### **Texas Department of Agriculture**

The TDA's Trade & Business Development (TBD) Division is dedicated to enhancing the economic vitality and quality of life in rural Texas. There are eight primary teams within TBD that implement these programs: Community Development Block Grant, State Office of Rural Health, Rural Economic Development, Marketing & Outreach, International Trade & Promotion, Office of Produce Safety & Livestock Export Pens, the Texas Agricultural Finance Authority and the Grants Office.

#### **Texas Department of Housing and Community Affairs**

TDHCA is the lead agency responsible for affordable housing. TDHCA's programs address a range of housing and community service needs of lower income individuals, households and special needs populations. TDHCA also promotes safe, decent, affordable home ownership; financing the development and rehabilitation of affordable rental housing and supporting community and energy assistance programs and colonia housing programs.<sup>2</sup>

#### **Texas Department of Insurance**

TDI regulates the state's insurance industry, oversees the administration of the Texas workers' compensation system, performs the duties of the State Fire Marshal's Office and provides administrative support to the Office of Injured Employee Counsel – a separate agency.

Texas Insurance Code requires TDI to: (a) Regulate the business of insurance in Texas; (b) Protect and ensure the fair treatment of consumers; (c) Ensure fair competition in the insurance industry to foster a competitive market; (d) Administer the Texas' workers' compensation system as provided by the Texas Labor Code; (e) Ensure that the insurance code and other laws regarding insurance and insurance companies are executed. TDI's mission is to protect insurance consumers by regulating the insurance industry fairly and diligently; promoting a stable and competitive market; and providing information that makes a difference.<sup>3</sup>

#### **Governor's Office of Economic Development & Tourism**

EDT serves to positively impact the economic prosperity of Texas. To accomplish this mission, EDT markets and promotes Texas as a premier business location and tourist destination; facilitates new jobs and investment through the location, expansion and retention of national and international investment; administers state incentive programs for business and community development; provides businesses assistance exporting products and services to international markets; serves as a central source of economic research; and establishes strategies to address economic growth in targeted industries."



Members of the Community Reinvestment Work Group.

#### **Community Reinvestment Act Overview**

Passed in 1977 (12 U.S.C. 2901), also known as Title VIII of the Housing and Community Development Act, the CRA confirmed the requirement of federally insured depository institutions to help meet the credit needs of local communities. The CRA applies to all federally insured depository institutions, national banks, thrifts and state-chartered commercial and savings banks. Banks are required to follow regulations and laws governing the CRA in return for the benefit of deposit insurance protection and access to the Federal Reserve's discount window.

Prior to the passage of the CRA, "redlining" – refusing or limiting loans in specific areas – was prevalent. Historical records show the manner of drawing "red lines" around certain communities originally stemmed from "residential security maps" created by the now non-operational Home Owners' Loan Corp.

The maps featured four classes of lending and investment risk for each of the 239 cities. As a result, private lenders produced similar maps. This caused discrimination against those with similar credit risk relative to others in a non-redlined area.

The Home Mortgage Disclosure Act was passed in 1975 to increase transparency in mortgage lending. In 1989, public accountability for lending practices was amplified when legislation necessitated public disclosure of institutions' CRA ratings and performance evaluations.<sup>4</sup>

The table below shows the four key lending laws that passed between 1968-1977. These federal lending laws outlaw lender discrimination in housing and consumer credit, and using public loan data to assist banks in meeting housing needs in local communities. These federal lending laws also assist public officials in finding ways to attract public investment to their communities, identify discriminatory lending patterns, and encourage banking institutions to assist low-to-middle income neighborhoods.

Fair Housing Act	1968	Part of the Civil Rights Act of 1968. The FHA makes it unlawful for any lender to discriminate in housing-related lending activities against any persons because of their race, color, religion, national origin, disability, family status or sex.
age, source of income or whether a person exercises rights gran		Prohibits discrimination based on race, color, religion, national origin, sex, marital status, age, source of income or whether a person exercises rights granted under the Consumer Credit Protection Act for any credit transaction and through the life of the loan.
Home Mortgage Disclosure Act	1975	Provides the public loan data that can be used to assist:  • In determining whether financial institutions are serving the housing needs of their communities.  • Public officials in distributing public-sector investments to attract private investment to areas where it is needed.  • In identifying possible discriminatory lending patterns.
Community Reinvestment Act	1977	Intended to encourage depository institutions to help meet the credit needs of the communities in which they operate, including low-and-moderate-income neighborhoods, consistent with safe and sound operations.

 $Source: St.\ Louis\ Federal\ Reserve,\ \underline{https://www.stlouisfed.org/on-the-economy/2018/january/community-reinvestment-act-bistory-future}$ 

## **Community Reinvestment Act and Texas Economic Facts and Figures**

NOTE: The information cited below is for the most recent years available which happens to be in the middle of the pandemic. Hence, these numbers may not accurately reflect the actual growth of the Texas economy in its current state.

- Between March 2020 and March 2021, 80,636 Texas establishments opened and 64,980 closed, for a net increase of 15,656. Employment expanded at 142,090 and contracted at 179,181. Small businesses accounted for 75,286 openings and 59,474 closings.<sup>5</sup>
- Between March 2020 and March 2021, opening and expanding Texas establishments added 1.2 million jobs, while closing and contracting establishments lost 1.5 million, for a net decrease of 334,627 jobs. Small businesses gained 798,857 jobs and lost 943,549 for a net decrease of 144,692 jobs.<sup>5</sup>
- In 2019, reporting banks issued \$10.2 billion in loans to Texas businesses with revenues of \$1 million or less. Total reported new lending to businesses through loans of \$100,000 or less was \$12.6 billion, and total reported new lending to businesses through loans of \$1 million or less was \$38.8 billion.<sup>5</sup>
- A total of 38,074 identified firms exported goods worth \$250.4 billion from Texas in 2020. Of those exporters, 35,124 or 92.3 percent were small. Small firms exported goods worth \$95.4 billion, making up 38.1 percent of exports by identified firms.<sup>5</sup>
- According to the U.S. Small Business Administration, Office 2022 Small Business Profile – Texas Report; women made up 45.6 percent of workers and owned 43.4 percent of businesses.<sup>5</sup>
- According to the U.S. Small Business Administration, Office 2022 Small Business Profile – Texas Report; veterans made up 5.4 percent of workers and owned 6.5 percent of businesses.<sup>5</sup>
- According to the U.S. Small Business Administration, Office 2022 Small Business Profile – Texas Report; Hispanics made up 37.6 percent of workers and owned 30.1 percent of businesses.<sup>5</sup>
- According to the U.S. Small Business Administration, Office 2022 Small Business Profile – Texas Report, racial minorities made up 24.8 percent of workers and owned 21 percent of businesses.<sup>5</sup>
- A weighted average of the Texas Business Outlook Survey (TBOS) respondents' expectations reveals that the timeline for normalization has extended from 7.4 months in June 2021 to 9.6 months in May 2022. Small firms (fewer than 100 employees) were more optimistic than large firms in May about the timeline for normalization 31 percent said they expect supply chains to normalize within six months.<sup>6</sup>
- Texas existing-home sales fell 2.2 percent in March 2022 on a month-over-month basis and were flat in April 2022. The slowing is most pronounced among entry-level buyers, though high interest rates are starting to hit other segments as well, such as investors. Despite the slowing, median home prices continue to rise and set yet another record in April 2022.
- Between August 2021 and August 2022, Texas has increased the labor force by approximately 327,000 jobs, from 14.2 million jobs to 14.5 million jobs.<sup>7</sup>
- Texas' seasonally adjusted unemployment rate dropped from 5.4 percent in August 2021, to 4.1 percent in August 2022.<sup>7</sup>



Between August 2021 and August 2022, Texas has added approximately 327,000 civilian jobs, from 14.2 million jobs to 14.5 million jobs.

#### **Actions Undertaken in 2019-2022**

The table below is a list of webinars and conferences that Work Group members organized and presented or participated in since 2019 that touch on CRA directly or indirectly.

#### Webinars/Videos/Conferences

Date	Presenter	Торіс
February 7, 2019	Texas Department of Insurance	Plain talk: making insurance easier to understand Imagine if you could go to an insurance website and understand every word. Or find answers to your questions written in short, clear sentences. Learn more about our plain language campaign.
March 28, 2019	Texas Department of Insurance	Do you Need Renters Insurance?  Do you need renters' insurance? Your landlord's insurance will cover damage to a building or home you rent, but what about your personal items? We explain what renters' insurance covers.
April 29-30, 2019	Texas Department of Housing and Community Affairs	Texas Mortgage Bankers Association Conference - Homeownership.
July 10, 2019	Texas Department of Insurance	Want to Stop Costly Medical Bills? Watch this.  Do you know the right questions to ask to keep your health care costs down? We go over the things that can lead to higher bills and explain how to avoid them.
July 23, 2019	Texas Department of Banking	2019 Financial Literacy Summit Conference - Hosted by IBAT Education Foundation and Texas Bankers Foundation, in partnership with Texas Jump\$tart Coalition.
		This program is designed to help bankers exchange ideas, share financial education success stories, and bring home new ideas and tools to enrich the bank's financial education outreach. Because of the participation with Texas Jump\$tart Coalition, a teacher track will be offered. This collaboration is intended to create bridges between bankers and educators in efforts to build financially literate communities across Texas.
July 29, 2019	Texas Department of Insurance	TDI Stakeholder Meeting. Stakeholder meeting on Senate Bill 1264 rules.
October 9-11, 2019	Texas Department of Housing and Community Affairs	Texas Municipal League Annual Conference.
June 11, 2020	Texas Department of Insurance and FEMA Region 6	Learn what Flood Insurance Covers  If it can rain, it can flood. We talked to FEMA about why many homeowners and renters need a flood insurance policy.
June 30, 2020	Texas Department of Insurance	Stakeholder Meeting. Mental Health/Substance Use Disorder Parity Rules Informal Stakeholder Meeting.
July 22, 2020	Texas Department of Housing and Community Affairs	Texas Housing Conference (annual conference of affordable housing industry in Texas).
July 23, 2020	Texas Department of Insurance, Property & Casualty Division	Starting a Business? What you Need to Know About Business Insurance Own a business or thinking about starting one? These tips help you think about the right business insurance coverage.
November 10, 2020	Texas Department of Banking and Texas Office of Consumer Credit Commissioner	Applying for Credit - Discussion will focus on applying for credit, including an explanation of what lenders can and cannot use to determine your credit worthiness. The session will also address the differences between good and bad credit, debt-to-income, and managing credit inquiries and credit scores.

Date	Presenter	Торіс
January 4, 2021	Texas Department of Insurance	Texas Protects Consumers from Surprise Medical Bills  A state law eliminated surprise medical bills for many Texans in 2020. TDI set up new dispute resolution systems for providers and health plans that got almost 50,000 requests the first year. And consumers are no longer caught in the middle.
February 2, 2021	Texas Department of Housing and Community Affairs	Hispanic Real Estate Broker Association (radio show) - Homeownership.
February 22, 2021	Texas Department of Housing and Community Affairs	Texas Mortgage Bankers Association Conference - Homeownership.
March 25, 2021	Texas Department of Insurance	Winter Storm Webinar. The Texas Department of Insurance staff answers questions about insurance claims after the winter storms. They also share tips to avoid contractor fraud.
April 20, 2021	Texas Department of Housing and Community Affairs	Hispanic Real Estate Broker Association (radio show) - Homeownership.
April 28, 2021	Texas Department of Banking and Texas Office of Consumer Credit Commissioner	Blueprint for Smart Housing Decisions - Discuss the important factors to consider when deciding whether to rent or buy a home. The session will also address the process of determining what housing you can afford, your credit score, different types of mortgages and the steps involved in a home purchase.
July 8, 2021	Texas Department of Insurance	Do Construction Costs Affect Your Home Insurance? We asked Albert Betts, Jr. of the Insurance Council of Texas about how recent increases in home construction costs are increasing the cost of homeowners insurance.
July 28, 2021	Texas Department of Banking and Texas Office of Consumer Credit Commissioner	Building a Better Budget - Discuss the benefits of keeping track of your monthly expenses, how to create a realistic household budget and the various tools available to help ensure your hard-earned money is put to its wisest use. Attendees will also receive a budgeting basics worksheet.
November 18, 2021	Texas Department of Banking, Texas Office of Consumer Credit Commissioner, Federal Deposit Insurance Corporation, and Federal Reserve Bank of Dallas	Holiday Spending - Provide helpful tips on how to achieve a stress-free holiday shopping experience, including how to create and stick to a budget, avoid the most common shopping mistakes, shop safely online and many other timely recommendations.
December 9, 2021	Texas Department of Insurance, Public Affairs Division	How to Find the Best Health Insurance Plan for you Looking for a health care plan? We talked to TDI's Public Affairs team about what you should know before selecting health insurance coverage.
February 24, 2022	Texas Department of Banking, Texas Office of Consumer Credit Commissioner, Federal Deposit Insurance Corporation, and Federal Reserve Bank of Dallas	Your Spending and Saving Plan - Based on an FDIC Money Smart for Adults education module, the discussion helps participants understand their goals and values, how they affect personal financial decisions and the external factors that influence their spending habits.
March 17, 2022	Texas Department of Housing and Community Affairs	National Association of Minority Mortgage Bankers.
April 27, 2022	Texas Department of Banking, Texas Office of Consumer Credit Commissioner, Federal Deposit Insurance Corporation, and Federal Reserve Bank of Dallas	Building Wealth: A Checklist to Get You Started - Discuss the seven fundamentals for building personal wealth, based on the Federal Reserve Bank of Dallas' free publication <u>Building Wealth: A Beginner's Guide to Securing Your Financial Future</u> .

Date	Presenter	Торіс
July 25-26, 2022	Texas Department of Housing and Community Affairs	Texas Housing Conference (annual conference of affordable housing industry in Texas)
August 31, 2022	Texas Department of Banking	Understanding Your Credit - Discuss the importance of establishing credit, what comprises your credit score and how it is calculated, how to protect your credit, the difference between good and bad credit and how to repair poor credit.

Below is a list of CRA-related publications that the Work Group members have published since 2019. The *Texas Bank Report*, a DOB publication issued twice each year, contains topics of interest to the banking industry, including financial education articles. The Comptroller's office has a monthly publication, *Fiscal Notes*, addressing a wide variety of topics that impact Texas and its economy.

#### **Publications**

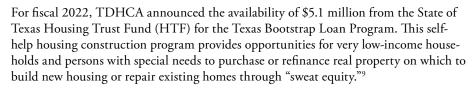
Publication Date	Articles
October 2019	<ul> <li>Texas Bank Report</li> <li>Financial Education Spotlight – Capital Bank Houston.</li> <li>Financial Education Spotlight First Texas Bank, Georgetown.</li> </ul>
September 2020	<ul> <li>Texas Bank Report</li> <li>Financial Education Resources Available for Parents.</li> <li>Financial Education Spotlight – Happy State Bank.</li> </ul>
January 2021	Texas Bank Report  • FDIC Banking Survey Shows Importance of Financial Education.
March 2021	Texas' Unbanked and Underbanked: Financial Services and Economic Exclusion  The Comptroller's office brought attention to the availability of low-to-moderate income housing and the issue of housing affordability in its monthly Fiscal Notes publication.
October 2021	<ul> <li>Texas Bank Report</li> <li>Financial Literacy Initiative Passes 87th Regular Session.</li> <li>Financial Education Webinars: Are You in the Know?</li> </ul>

#### **Work Group Goals and Strategies**

**Goal 1:** The Texas Department of Housing and Community Affairs will provide for the housing needs of individuals and families of low, very low, and extremely low income and families of moderate income who may seek housing in reinvestment zones.

**Strategy 1:** The Section 8 Housing Choice Voucher Program provides rental assistance payments on behalf of low-income individuals and families, including the elderly and persons with disabilities. The program provides financial assistance for decent, safe and sanitary housing to eligible households whose annual gross income does not exceed 50 percent of HUD's median income guidelines. HUD requires 75 percent of all new households admitted to the program be at or below 30 percent of the area median income.<sup>8</sup>

**Strategy 2:** Provide Potential Ownership Opportunities in Reinvestment Zones. The Texas Department of Housing and Community Affairs (Department) administers the Owner-Builder Loan Program, commonly known as the Texas Bootstrap Loan Program (Bootstrap). Each year, the Department is required under Texas Government Code, Section 2306.753(d) to set aside at least two-thirds of Bootstrap funds for owner-builders whose property is in a census tract that has a median household income not greater than 75 percent of the median state household income for the most recent year statistics are available.



**Program Background:** The Section 8 Housing Choice Voucher Program was created by the Housing and Community Development Act of 1974. Funds for Section 8 are provided by the U. S. Department of Housing and Urban Development. If a community is interested in utilizing Section 8, the local unit of government must adopt a resolution agreeing to administer the program in accordance with all applicable rules and regulations. The Department is one of several different public housing authorities that run Housing Choice Voucher Section 8 programs across Texas. Each public housing authority covers a specific service area.

The Program of Potential Ownership Opportunities in Reinvestment Zones is a self-help housing construction program that assists very low-income households (owner-builders) to purchase or refinance real property on which to build or repair housing by contributing the labor themselves. The maximum Bootstrap loan is \$45,000 per household and zero percent interest for a term of up to 30 years. Owner-Builders leverage their Bootstrap loan with additional loan funds from other sources.

**Goal 2:** The Texas Department of Banking promotes financial education through webinars, publications and consumer information available on the agency website.

**Strategy 1:** The DOB promotes financial education initiatives through quarterly webinars. These events will be primarily conducted in collaboration with the Texas Office of Consumer Credit Commissioner (OCCC), federal agencies and statewide organizations.



**Strategy 2:** The DOB promotes financial education through publications and providing links to statewide financial education resources in partnership with other state and federal agencies in the Consumer Information section of the agency website.

**Program Background:** The DOB works collaboratively with the OCCC to promote financial education. Initiatives include quarterly webinars offering consumer information and guidance on a variety of topics designed to increase the financial literacy of all Texans. These presentations are free and typically are followed by a 15-minute question and answer session. Some of the topics are directed toward unbanked communities. In addition, webinars may also be presented in collaboration with various statewide organizations such as Texas Bankers Association (TBA) and the Independent Bankers Association of Texas (IBAT); the Federal Deposit Insurance Corporation (FDIC) and the Federal Reserve Bank of Dallas (FRB-Dallas) promoting programs that enhance financial education.

Financial education webinars are promoted through <u>Industry Notices</u> sent to state-chartered banks; school districts; trade organizations such as TBA and IBAT; advocacy organizations such as Texas Appleseed, RAISE Texas, and Every Texan (formerly the Center for Public Policy Priorities). Industry Notices are also sent to the Texas Credit Union Department and federal agencies including the FDIC, FRB-Dallas, Office of the Comptroller of the Currency (OCC) and Consumer Financial Protection Bureau (CFPB). All webinar notices are posted on the DOB's website and are also promoted on LinkedIn.

Semi-annually, the DOB publishes the *Texas Bank Report*, which contains articles on "hot topics" and regulatory news for banks and trust companies. In addition, the Texas Bank Report includes, in one issue per year, articles related to financial education including financial education initiatives by Texas state-chartered banks. This report is available on the *publications* page of the agency's website.

The DOB website also provides links to financial education programs and information resources for both consumers and bankers.

One program promoted on the website is In-School Banking. State-chartered banks may establish an In-School Banking program as authorized by 7 TAC §15.44. This rule, adopted in 2008 by the Finance Commission of Texas, the oversight body of the DOB, outlines the requirements to create a Center of Monetary Education for Texans (COMET). A COMET offers a state-chartered bank the opportunity to teach students the principles of personal financial management, banking operations and the benefits of saving for the future by providing in-school banking programs. To take full advantage of this opportunity, a state-chartered bank must give the DOB 30 days written notice of its intent to open a COMET. A link to the OCC's School-Based Bank Savings Programs is provided for national banks.

The <u>Consumer Information</u> page contains material and links to a variety of resources designed to help consumers make informed decisions about budgeting, credit, asset building, savings and debt management through financial education. This page also includes resources for bankers. A financial education <u>brochure</u> provides information and links to various programs and curricula available to assist banks in providing financial education to consumers. The brochure highlights financial education material from federal organizations such as the FDIC, FRB-Dallas, and the CFPB, and non-profit organizations such as Texas Jump\$tart Coalition and Junior Achievement.

In addition, the DOB maintains the <u>Texas Prepaid Funeral Contracts</u> website, which provides information to enable consumers to make informed decisions relating to the purchase of preneed funeral contracts including descriptions of the trust and insurance funding options available under state law. The website includes <u>Frequently Asked Questions</u> (FAQs), <u>General Information</u> on funeral planning and a <u>Prepaid Funeral Planning Brochure</u>.

**Goal 3:** The Texas Department of Insurance will foster fair market competition to enhance the capacity and affordability of the insurance markets. Benefits to consumers and companies include greater choices in insurance products and companies as well as lower prices.

**Strategy 1:** TDI oversees residual markets in Texas. Residual insurance markets or "markets of last resort" exist to ensure coverage is available when people are unable to get insurance in the regular market. The programs to be implemented to fulfil this strategy are:

- TWIA Texas Windstorm Insurance Association: wind and hail coverage for residents of 14 coastal counties who have been rejected for coverage.
  - Policies in force: 204,753.
  - Exposures: \$67,093,459,000.
  - Premium Written Fiscal Year Ending Aug. 31, 2022: \$338,451,546.
- FAIR Plan (Fair Access to Insurance Requirements) Residential insurance for consumers in Texas who have been declined residential coverage in the market.
  - Policies in force: 62,475.
  - Exposures: \$11,971,440,000.
  - Premium Written Fiscal Year Ending Aug. 31, 2022: \$53,336,923.
- <u>TAIPA</u> (Texas Auto Insurance Plan Association) Auto insurance coverage for consumers in Texas who have been declined auto coverage in the market.
  - TAIPA received 927 applications (755 private passenger and 172 commercial) as of Aug. 31, 2022.

**Strategy 2:** The State Fire Marshal's office provides oversight for the Public Protection Classification (PPC).

- The Texas State Fire Marshal's PPC oversight officer provides the following services:
  - Approve/disapprove PPC rating recommendations.
  - Mediate complaint resolution.
  - Technical assistance to departments.

**Program Background:** Each of these programs (TWIA, FAIR Plan and TAIPA) were created to provide residential or automobile coverage to Texans unable to obtain insurance in the private market. Private market insurers are required to participate in the administration and covered losses of these programs.



PPC is the countrywide classification system used by the <u>Insurance Services Office</u>, also known as ISO Mitigation, to grade a community's local fire protection. ISO Mitigation is an organization that provides property and casualty insurance risk information to insurance companies.

Communities get a PPC score from one to 10.

- One means the community has superior property fire protection.
- 10 means the community's fire protection efforts don't meet ISO's minimum criteria.

Most home and business insurers use PPC scores to determine insurance premiums. Businesses and individuals in a community with a good PPC score typically pay less for fire insurance.

**Goal 4:** The Texas Department of Insurance will increase consumer education through publications and videos by providing information on available insurance options and insurance-related topics.

**Strategy 1:** TDI develops helpful information to demystify insurance, remind consumers to check their coverage and policy language, and hosts websites for consumers to shop and compare coverage. TDI also produces information for insurance companies and professionals to ensure Texans are being served in consumer-friendly ways and in accordance with the law.

- TDI develops and disseminates consumer education materials to increase financial and insurance literacy, reduce confusion, and increase understanding of insurance. Content includes:
  - Insurance tips
  - Videos
  - Blogs
  - Podcasts
- In April, TDI began offering <a href="InsureD">InsureD</a> webinars. The webinars are opportunities for TDI staff to share information and tips with those in the insurance industry. The seven webinars had more than 2,200 attendees.

**Strategy 2:** TDI Customer Operations helps Texans through the review and resolution of insurance-related complaints. TDI administers the <u>independent dispute</u> <u>resolution</u> system for out-of-network claim disputes between medical providers and health plans.

- Resolved more than 14,493 complaints, helping consumers get more than \$55.9 million in additional claim payments and premium refunds.
- Processed 190,250 eligible independent dispute resolution requests representing \$1.5 billion in disputed payment amounts.



**Program Background:** TDI provides consumer tips and information, issues news releases, and develops content for social media and other communications. The agency maintains a website and social media accounts, produces videos, and oversees an email subscription service to send out agency news and updates to provide information to Texans.

Also, SB 1264 passed in 2019, bans balance billing for certain medical services or supplies received on or after Jan. 1, 2020. It does not apply to air or ground ambulance services. Health plans and out-of-network providers and facilities must use the **Independent Dispute Resolution portal** to mediate or arbitrate disputes:

- Mediation: Used for billing disputes between out-of-network facilities and health plans.
- Arbitration: Used for billing disputes between out-of-network health care providers (not facilities) and health plans.

**Goal 5:** The Texas Department of Insurance will protect and ensure the fair treatment of all consumers and implement statutory programs to increase transparency and public resources.

**Strategy 1:** TDI administers websites as directed by legislation that allow Texas consumers to compare insurance coverage and health care costs.

- TDI requires the top 25 insurance groups to report automobile and residential property sample rate data for use in the <a href="HelpInsure">HelpInsure</a> website for consumers to compare rates and coverage types.
- TDI collects information from health plans regulated by TDI to create
   <u>TexasHealthPlanCompare.com</u> for consumers to find and compare health plans.
   Consumers can view monthly costs, deductibles, maximum amount they will need to pay for covered services and more.
- TDI collects data from health plans to determine how much they pay doctors and hospitals for specific medical services. This is used to create information on more than 200 of the most common surgeries, tests, and other procedures. Consumers can search <a href="TexasHealthCareCosts.org">TexasHealthCareCosts.org</a> by zip code to get the average amount billed for a medical service and the average insurance payment.

**Program Background:** TDI collects data from insurers for these statutorily created programs and compiles the information in a user-friendly website. Consumers can compare automobile, residential, and health insurance coverages to ensure they make informed insurance decisions. Consumers can also find the average cost of common medical procedures in their area to help them assess estimates they receive from providers and insurers.



**Goal 6:** The Texas Department of Housing and Community Affairs will contribute to the preservation, development and redevelopment of neighborhoods and communities.

**Strategy 1:** Provide tools for multifamily preservation, rehabilitation, and development. TDHCA administers multifamily housing funds through its multifamily loan, bond, and credit programs. The Housing Tax Credits program directs private capital toward the development and preservation of affordable rental housing for lower income households. TDHCA committed \$2.07 billion in total funds and tax credit assistance in fiscal 2019, \$2.8 billion in fiscal 2020 and \$3.16 billion in fiscal 2021.<sup>10</sup>

In fiscal 2021, the agency infused the state's economy with a total of \$291 million in multifamily housing funds, which supported the development of new and existing multifamily rental housing 11 through the awards of more than \$291 million in four percent and nine percent housing tax credits. Not only is the housing tax credit program the agency's best tool for meeting the needs of renters, but it also provides a large, positive economic footprint across the state. Using a formula from the National Association of Home Builders, it is estimated that the housing tax credit program in Texas generated \$1.4 billion in local income last year, \$264 million in taxes and other revenue for local governments, and over 19,000 jobs.

**Strategy 2:** Provide funding through the HOME Investment Partnership (HOME) Program. HOME Program funds support a variety of eligible activities including Homeowner Reconstruction, Homebuyer Assistance with New Construction, Contract for Deed, Tenant-Based Rental Assistance, Single Family Development and Multifamily Development. In addition, TDHCA has set aside funding for Disaster Relief and Persons with Disabilities, among other set-asides.<sup>12</sup>

**Program Background:** More than 98.4 percent of the households/individuals served by TDHCA housing programs in fiscal 2021 had incomes between 31 and 60 percent of the area median family income.<sup>13</sup> TDHCA administers programs and services, excluding the Section 8 Housing Choice Voucher Program, through a network of organizations across Texas and does not fund individuals directly.

Most funding and assistance came from federal or federally authorized resources or market-based loan mechanisms and slightly more than one percent came from state sources. Funding and assistance primarily benefited individuals and households earning less than 80 percent of the area median family income.

The HOME Investment Partnerships Program (HOME Program or HOME) is funded by the U.S. Department of Housing and Urban Development (HUD). Authorized under the Cranston-Gonzalez National Affordable Housing Act, the purpose of the program is to expand the supply of decent, safe, affordable housing and strengthen public-private housing partnerships between units of general local governments, public housing authorities, nonprofits and for-profit entities.

The Texas Department of Housing and Community Affairs (TDHCA) administers the HOME Program on behalf of the State of Texas, primarily in rural parts of the state. Single family activities are administered through TDHCA's HOME Single Family Division, while multifamily activities are administered through TDHCA's Multifamily Finance Division.



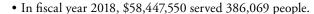
**Goal 7:** The Texas Department of Agriculture (TDA) will provide business and community assistance to rural Texas.

**Strategy 1:** TDA provides business and community assistance daily. The Trade and Business Development Team connects and educates business owners, agricultural producers, and rural communities throughout the state on the available resources both within and outside TDA.

**Program Background:** The Texas Community Development Block Grant (TxCDBG) Program provides funding to support basic human needs and sanitary infrastructure to rural communities. Eligible communities can apply for financial assistance to address clean drinking water, sanitary sewer systems, disaster relief and urgently needed projects including housing, drainage and flood control, navigable streets, and community centers.

Proposed activities funded through the TxCDBG Program must meet one of three Housing and Urban Development (HUD) National Program Objectives: principally benefit low- and moderate-income persons; aid in the elimination of slums; or meet other urgent community development needs that represent an immediate health or safety threat to community residents.

The program serves 1,261 HUD-designated, non-entitlement cities and 244 HUD-designated, non-entitlement counties or rural communities. Non-entitlement cities are those with populations of fewer than 50,000; non-entitlement counties are those with fewer than 200,000 persons in their non-entitlement cities and unincorporated county areas.



- In fiscal year 2019, \$65,685,083 served 580,389 people.
- In fiscal year 2020, \$81,726,620 served 475,705 people.
- In fiscal year 2021, \$70,183,192 served 414,989 people.
- In fiscal year 2022, \$74,740,573 served 360,649 people.

Below is a summary of the TxCDBG Programs:

- The *Community Development Fund* is the largest fund in the TxCDBG program. Every biennium, eligible cities and counties may apply through a regional competition. Eligible activities include infrastructure projects such as drainage, sewer, and water system improvements; housing rehabilitation and improvements to bridges and streets.
- The *Downtown Revitalization Program* provides funds to support infrastructure improvements that are contributing to the deterioration of a community's downtown or main street area.
- The Fire, Ambulance, and Services Truck (FAST) Fund provides funds for eligible vehicles to provide emergency response and special services to rural communities.
- The State Urgent Need Fund provides funding to address disaster-related damage to public infrastructure and utilities and mitigation measures. This program is available following natural disasters that are not eligible for federal disaster assistance.



The Colonia Construction Fund provides funds for water and wastewater improvements, housing rehabilitation for low- to moderate-income (LMI) households.

In addition to the above, the TxCDBG Rural Economic Development Pilot Program is focused on strategic economic development planning and projects.

TDA manages several other programs that support community and economic development. The Texas Rural Business Fund (TxRBF) Pilot Program provides funds to support job creation projects in rural Texas. The program provides funds to rural communities and counties to support a job creation project, spur private investment and industry development in rural Texas. Funds must be used for public infrastructure improvements that support an eligible project that significantly impacts the community and has the potential to spur additional economic development opportunities.

Through Texas Agricultural Finance Authority (TAFA), TDA manages several programs to support agricultural producers and businesses throughout the state. Several TAFA programs are designed to stimulate agricultural lending in partnership with commercial banks.

- The *Agricultural Loan Guarantee Program* provides financial assistance to Texas farmers, ranchers and other agricultural businesses in the form of a loan guarantee. The program works in partnership with community banks to guarantee an eligible loan up to \$500,000 or 80 percent, whichever is less, or up to \$250,000 or 90 percent of the loan, whichever is less.
- The *Interest Rate Reduction Programs* facilitate lower interest rates to eligible applicants through a commercial lender that is an approved state depository.

TDA manages the *Young Farmer Grant (YFG) Program*. The YFG Program is a competitive grant program to support Texas farmers and ranchers between the ages of 18 and 46. The program is designed to support projects that are strengthening and supporting Texas agriculture, impacting the applicant's community, and meeting a financial need that is otherwise not met.

Through TAFA, TDA supports broader rural economic development through lending programs to communities, utilities, and other political subdivisions. Proceeds of these obligations may be used for a wide array of projects from infrastructure to business development activities.

The State Office of Rural Health (SORH) serves approximately 163 rural hospitals and over 300 rural health clinics, benefiting nearly three million rural residents and everyone who travels to/through rural Texas. The office works with local, state, and federal partners to develop, support and coordinate programs and services to improve access to health services in rural areas of the state.

**Goal 8:** The Texas Department of Agriculture (TDA) is planning to launch the new Texas Community Development Block Grant (TxCDBG) rural economic development grant program in 2023/2024.

**Strategy 1:** TDA continues to evaluate existing programs and funding streams to ensure TDA's portfolio of programs addresses the needs and priorities of stakeholders. In 2022, TDA launched the *Rural Economic Development Pilot Program* to provide grant funding to rural communities to prepare a strategic economic development plan and subsequent funding to implement the plan. TDA will review the outcomes of the pilot to determine if it is able to successfully support the diverse economic development priorities and challenges of rural Texas.



The Agricultural Loan Guarantee
Program and the Interest Rate
Reduction Program support
access to capital in partnership
with commercial banks.

**Program Background:** The TxCDBG Program provides funding to support basic human needs and sanitary infrastructure to rural communities. The planned rural economic development program will provide rural communities with funding to address their unique economic development priorities.

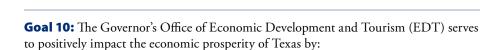
This program is in development. Please contact TDA with any questions.

**Goal 9:** The Texas Department of Agriculture (TDA) is planning to launch a new economic development finance program in 2023 to support the agricultural industry and further rural economic development.

**Strategy 1:** As mentioned above, TDA continues to evaluate existing programs and funding streams to ensure TDA's portfolio of programs address the needs and priorities of stakeholders. The TDA in conjunction with Texas Agricultural Finance Authority (TAFA) is planning to launch the Rural Economic Development Finance Program, which will consist of two proposed loan structures to support the Texas agricultural industry and further rural economic development:

- The Agricultural & Community Economic Development (ACED) Loan provides a source of capital for Texas-based entities (non-profit or for-profit) in partnership with financial institutions to support the agricultural industry or promote rural economic development.
- The *Texas Rural Community (TRC) Loan* provides access to needed capital with favorable terms to rural political subdivisions and economic development corporations supporting agricultural businesses or furthering rural economic development.

**Program Background:** TAFA provides financial assistance to support the Texas agricultural industry and further rural economic development. The planned Rural Economic Development Finance Program will provide additional financial assistance opportunities for rural communities and agricultural businesses. This program is in development. Please contact TDA with any questions.



- marketing and promoting Texas as a premier business location & tourist destination;
- facilitating new jobs and investment through the location, expansion and retention of national & international investment;
- administering state incentive programs for business and community development;
- providing businesses assistance exporting products & services to international markets;
- serving as a central source of economic research; and
- establishing strategies to address economic growth in targeted industries.



TAFA provides financial assistance to support Texas agricultural industry and further rural economic development.

**Strategy 1:** EDT will administer economic development programs to benefit private companies and the communities in which they locate or expand.

**Program Background:** Texas Economic Development & Tourism (EDT), within the Office of the Governor markets and promotes the state of Texas as a premier business location and travel destination. Under Governor Greg Abbott's leadership, the office works closely with regional and community partners to ensure that Texas remains the top state for business in the country. Economic development programs, funds, and grants administered by EDT include the Texas Enterprise Fund (TEF), Product Development and Small Business Incubator Fund (PDSBI), Texas Small Business Credit Initiative (SBCI), the Texas Travel Industry Recovery Program (TTIR) and the Office of Small Business Assistance (OSBA).

- 1. The Texas Enterprise Fund (TEF) awards "deal-closing" grants to companies considering a new project for which one Texas site is competing with other out-of-state sites. The fund serves as a performance-based financial incentive for those companies whose projects would contribute significant capital investment and new employment opportunities to the state's economy.
  - Award amounts are determined using an analytical model applied to each TEF applicant. This model determines whether Texas will see a full return on its investment within the period of a project contract due to the resulting increase in sales tax revenues. Variations in award amounts are influenced by the number of jobs to be created, the expected timeframe for hiring, and the average wages to be paid. Each applicant undergoes a thorough 11-step due diligence process. Corporate activity, financial standing, tax status, legal issues, credit ratings, and estimated economic impacts, as well as the business climates of competitive locations are assessed for each project and taken into consideration for all award decisions. Based on past history, awards have generally ranged from \$1,000 to \$10,000 per job.
- 2. The Product Development and Small Business Incubator (PDSBI) fund is a revolving loan program funded through an original bond issuance. The program offers long-term, asset-backed loans to product development companies and small business incubators/accelerators located in Texas. The loans finance the development and production of new or improved products or the encouragement of new or existing small businesses in Texas. The program targets Texas businesses unable to obtain desired financing in traditional capital markets.
  The Economic Development Finance team administers the PDSBI at the direction of the Governor's appointed nine-member board of directors. Its primary objective is to aid in the development, production, and commercialization of

new or improved products and to foster and stimulate small business in the state. Preference for funding is given to the state's defined industry clusters: semiconductor, nanotechnology, biotechnology and biomedicine. Funding

priorities also include job creation and retention within Texas.

3. EDT administers the **Texas Small Business Credit Initiative (TSBCI)**, which comes from the federal State Small Business Credit Initiative (SSBCI). On March 11, 2021, the U.S. Congress enacted the American Rescue Plan Act, which, in part, provides \$10 billion to fund SSBCI. Administered by the U.S. Department of the Treasury, this initiative is the second installment of the program originally passed under the Small Business Jobs Act of 2010.



The objective of SSBCI is to support state programs that provide resources to assist small business growth and create new jobs through increased access to small business funding. In addition, the program will assist small businesses that are traditionally marginalized and those that have been impacted by the COVID-19 pandemic. TSBCI is expected to allocate more than \$472 million and the state of Texas is focused on staying apprised of the latest program information released by the U.S. Department of the Treasury.

4. EDT administers the **Texas Travel Industry Recovery Grant Program (TTIR)** through the Economic Development Finance team. The TTIR Program was established by Senate Bill 8 and signed into law by the governor following the 87th Legislature (Third Called Session) to administer \$180 million received from the Coronavirus State Fiscal Recovery Fund under the American Rescue Plan Act of 2021.

The TTIR Program was established to provide one-time reimbursement grants of up to \$20,000 for the recovery of Texas businesses in the tourism, travel and hospitality industries that were negatively impacted due to COVID-19. These one-time grants are to reimburse eligible costs to these qualifying businesses.

- 5. The **Office of Small Business Assistance** (OSBA) promotes financial education through webinars, publications, and consumer information available on the agency website. The OSBA works with local, state, and federal partners to offer online webinars and host the Governor's Small Business Series events in cities across Texas. These in-person events and webinars educate members of the entrepreneurial and small business communities about the challenges involved in starting, operating, and growing a business while highlighting available opportunities, tools, and resources. The events allow business owners to meet lenders; learn about financing options, insurance, and healthcare concerns; licensing; professional development initiatives; exports; and other small business matters. They recognize the achievements of local small businesses and the contributions they make to their local economies. Events and webinars focus on:
  - Workforce and skills development.
  - Skills for Small Business program (Texas Workforce Commission).
  - Business start-up essentials and de-mystify the lending process.
  - Marketing and social media tools, cybersecurity and data management.
  - Networking, connecting to other businesses and building capacity.
  - Contacts and procurement opportunities with federal, state and local government agencies.
  - Promoting entrepreneurship and access to capital, opportunities and resources for small, mid-size and historically underutilized businesses.
  - Export trade opportunities and resources.
  - Governor's Small Business Awards.



**Goal 11:** The Texas Broadband Development Office, housed within the Comptroller's office, will administer state and federal grant programs to help bridge the digital divide in communities across Texas.

**Strategy 1:** The Broadband Development Office will award competitive grant funding to eligible communities to increase digital literacy.

**Strategy 2:** The Broadband Development Office will provide resources and information on how to develop and improve digital literacy skills.

Program Background: The Broadband Development Office (BDO), was established by the Texas Legislature in 2021 and is operated by the Texas Comptroller of Public Accounts. BDO awards grants, low-interest loans and other financial incentives to internet service providers who expand access to broadband service in underserved areas. The BDO also provides a variety of tools and resources supporting the expansion of broadband access across Texas. The digital divide is a significant issue that extends throughout Texas, where the latest data indicates almost 2.8 million Texas households and 7 million people lack broadband access. In 2016, well before the pandemic, the Federal Reserve Bank of Dallas found that the gap between those with broadband access and those without—often called the digital divide—"leads to further economic, social and political disparities for low-income and underserved populations." Many of the barriers to expansion in Texas concern the state's size, varying population densities and even its terrain.

**Goal 12:** The Work Group will publish periodically the status of the Work Groups' progress in meeting their respective goals and highlighting CRA in Texas and how it impacts Texans annually.

**Strategy 1:** The Comptroller will (a) make available space on the CPA local government and *Fiscal Notes* publication webpages; (b) publish an annual article highlighting the Community Reinvestment Act (CRA) and the Work Group's progress in achieving its goals; and (c) provide links to the report to all other members that can be shared with their constituencies.

**Program Background:** *Fiscal Notes* is one of the ways in which the Comptroller's office strives to assist taxpayers and the people of Texas. The newsletter is a byproduct of the Comptroller's constitutional responsibilities to monitor the state's economy and to estimate state government revenues.

Fiscal Notes also provides a periodic summary of Texas state government's financial statements.

Articles and analysis appearing in *Fiscal Notes* do not necessarily represent the policy or endorsement of the Texas Comptroller of Public Accounts. Space is devoted to a wide variety of topics of Texas interest and general government concern.



#### Community Reinvestment in Texas Past and Future – Fiscal 2019-2023

*Fiscal Notes* provides information, original research and balanced analysis on the Texas economy. The background description for goal 11 also applies to goals 12 and 13.

**Goal 13:** The Work Group will document ongoing efforts and publish the CRA Work Group Report each biennium.

**Strategy 1:** The Work Group will develop and agree to a template for documenting and reporting on their agency's initiatives each year. Work group members will provide completed templates to the Comptroller's office staff annually.

**Strategy 2:** The Comptroller's Office will compile and publish the 2024 CRA Work Group Report.

**Goal 14:** The Work Group will respond to 100 percent of any CRA calls received and redirect such calls to the appropriate state and/or federal resources from the public.

**Strategy 1:** Each individual state agency comprising the Work Group and others who are a part of this report will track all emails and calls they receive regarding the CRA report and the programs/projects contained therein.

**Strategy 2:** Each Work Group member and other participating agencies with goals provided in the publication will report to the Work Group at each quarterly meeting and at the end of each calendar year the total number of calls and emails responded to regarding the CRA Report and goals.



#### 86th and 87th Legislatures: House and Senate Bills

In 2019 and 2021, the Legislature passed legislation involving community reinvestment in Texas that affected Work Group member agencies.

#### **86<sup>th</sup> Legislative Session**

Senate Bill 493 – The bill impacts TDHCA by making changes to a Housing Tax Credit (HTC) rule impacting the density of these developments. The bill created an exemption from the "two-mile rule" for proposed developments in areas declared as disaster areas. The rule generally (there are a few exceptions) limits new developments from being located within two linear miles of each other in counties with a population of more than one million. This bill allows new developments to be located within two linear miles if they are in an area declared a disaster area. As a result, the bill has a potential impact on re-development of areas damaged by a disaster.

Senate Bill 726 – This bill impacts the DOB and state-chartered banks by raising the community reinvestment cap to 15 percent of total capital. To ensure a bank is not overexposed in a single investment, there is a cap of 25 percent of total capital for investments and loans to a single entity.

#### 87th Legislative Session

House Bill 1558 – The bill made a small change in the point system by which competitive housing tax credit applications are evaluated by TDHCA. The bill directs the agency to add a point incentive for developments to be located within two miles of a veteran's health facility if located in a county with a population of more than one million but less than four million. The net result could have a small impact on areas of urban renewal near these facilities.

Senate Bill 403 – The bill impacts TDHCA by providing a small change to the Right of First Refusal process in potential sales of HTC developments. The bill increased eligibility of certain organizations to make offers on these sales during the first 60 days. It is possible the impact would benefit nonprofit organizations looking to keep these developments affordable and in place. Many of these types of organizations work in more dense, urban communities.

<u>Senate Bill 1063</u> – The bill relates to courses in personal financial literacy and economics for high school students in public schools.



#### **Endnotes**

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- TDHCA program information and details are available at www.tdhca.state.tx.us.
- Texas Department of Insurance; "About TDI and Agency Mission;"
  <a href="https://www.tdi.texas.gov/general/index.html#:~:text=Agency%20">https://www.tdi.texas.gov/general/index.html#:~:text=Agency%20</a>
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- Julie L. Stackhouse; St. Louis Federal Reserve Bank; The Community Reinvestment Act's History and Future; January 24, 2018; <a href="https://www.stlouisfed.org/on-the-economy/2018/january/community-reinvestment-act-history-future">https://www.stlouisfed.org/on-the-economy/2018/january/community-reinvestment-act-history-future</a>.
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#### **Other Important Resources for Reference**

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Co	ommunity Reinvestment in Texas Past and Future – Fiscal 2019-2023

#### **Texas Comptroller of Public Accounts**

Publication #96-643 – Updated December 2022

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