

**Representative Rebecca P. Edwards** proposes the following substitute bill:

**AFFORDABLE HOUSING AMENDMENTS**

2018 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Rebecca P. Edwards**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill creates a commission in the Department of Workforce Services.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
  - ▶ creates the Commission on Housing Affordability in the Department of Workforce Services;
  - ▶ describes the membership, duties, and reporting requirements of the commission;
- and
- ▶ provides a sunset date.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**63I-1-235**, as last amended by Laws of Utah 2017, Chapters 128 and 469

ENACTS:



- 26 [35A-8-2101](#), Utah Code Annotated 1953
- 27 [35A-8-2102](#), Utah Code Annotated 1953
- 28 [35A-8-2103](#), Utah Code Annotated 1953
- 29 [35A-8-2104](#), Utah Code Annotated 1953



31 *Be it enacted by the Legislature of the state of Utah:*

32 Section 1. Section **35A-8-2101** is enacted to read:

33 **Part 21. Commission on Housing Affordability**

34 **35A-8-2101. Definitions.**

35 As used in this part:

36 (1) "Commission" means the Commission on Housing Affordability created in Section  
37 [35A-8-2102](#).

38 (2) "Housing affordability" means the ability of a household to occupy a housing unit  
39 paying no more than 30% of the household's income for gross housing costs, including utilities.

40 Section 2. Section **35A-8-2102** is enacted to read:

41 **35A-8-2102. Commission on Housing Affordability.**

42 (1) There is created within the department the Commission on Housing Affordability.

43 (2) The commission shall consist of 20 members as follows:

44 (a) one senator appointed by the president of the Senate;

45 (b) two representatives appointed by the speaker of the House of Representatives;

46 (c) the executive director of the department or the executive director's designee;

47 (d) the director of the division;

48 (e) the executive director of the Governor's Office of Economic Development or the  
49 executive director's designee;

50 (f) the executive director of the Department of Transportation or the executive  
51 director's designee;

52 (g) the president of the Utah Housing Corporation or the president's designee; and

53 (h) 12 members appointed by the governor as follows:

54 (i) one individual representing the land development community with experience and  
55 expertise in affordable, subsidized multi-family development, recommended by the Utah  
56 Homebuilders Association;

- 57           (ii) one individual representing the real estate industry, recommended by the Utah  
58 Association of Realtors;
- 59           (iii) one individual representing the banking industry, recommended by the Utah  
60 Bankers Association;
- 61           (iv) one individual representing public housing authorities, recommended by the  
62 director of the division;
- 63           (v) two individuals representing municipal government, recommended by the Utah  
64 League of Cities and Towns;
- 65           (vi) one individual representing redevelopment agencies and community reinvestment  
66 agencies, recommended by the Utah Redevelopment Association;
- 67           (vii) two individuals representing county government, recommended by the Utah  
68 Association of Counties, where:
- 69           (A) one of the individuals is from a county of the first class; and  
70           (B) one of the individuals is from a county of the third, fourth, fifth, or sixth class;
- 71           (viii) one individual representing a nonprofit organization that addresses issues related  
72 to housing affordability;
- 73           (ix) one individual with expertise on housing affordability issues in rural communities;  
74 and
- 75           (x) one individual representing the Salt Lake Chamber, recommended by the Salt Lake  
76 Chamber.
- 77           (3) (a) When a vacancy occurs in a position appointed by the governor under  
78 Subsection (2)(h), the governor shall appoint a person to fill the vacancy.
- 79           (b) Members appointed under Subsection (2)(h) may be removed by the governor for  
80 cause.
- 81           (c) A member appointed under Subsection (2)(h) shall be removed from the  
82 commission and replaced by an appointee of the governor if the member is absent for three  
83 consecutive meetings of the commission without being excused by a cochair of the  
84 commission.
- 85           (d) A member serves until the member's successor is appointed.
- 86           (4) (a) The commission shall select two members to serve as cochairs, one of whom  
87 shall be a legislator.

88 (b) Subject to the other provisions of this Subsection (4), the cochairs are responsible  
89 for the call and conduct of meetings.

90 (c) The cochairs shall call and hold meetings of the commission at least four times each  
91 year.

92 (d) One or more additional meetings may be called upon request by a majority of the  
93 commission's members.

94 (5) (a) A majority of the members of the commission constitutes a quorum.

95 (b) The action of a majority of a quorum constitutes the action of the commission.

96 (6) (a) A member of the commission described in Subsections (2)(c) through (h) may  
97 not receive compensation or benefits for the member's service, but may receive per diem and  
98 travel expenses in accordance with:

99 (i) Section [63A-3-106](#);

100 (ii) Section [63A-3-107](#); and

101 (iii) rules made by the Division of Finance pursuant to Sections [63A-3-106](#) and  
102 [63A-3-107](#).

103 (b) Compensation and expenses of a member who is a legislator are governed by  
104 Section [36-2-2](#) and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

105 (7) The division shall provide staff support to the commission.

106 Section 3. Section **35A-8-2103** is enacted to read:

107 **35A-8-2103. Duties of the commission.**

108 (1) The commission's duties include:

109 (a) increasing public and government awareness and understanding of the housing  
110 affordability needs of the state and how those needs may be most effectively and efficiently  
111 met, through empirical study and investigation;

112 (b) identifying and recommending implementation of specific strategies, policies,  
113 procedures, and programs to address the housing affordability needs of the state;

114 (c) facilitating the communication and coordination of public and private entities that  
115 are involved in developing, financing, providing, advocating for, and administering affordable  
116 housing in the state;

117 (d) studying, evaluating, and reporting on the status and effectiveness of policies,  
118 procedures, and programs that address housing affordability in the state;

119 (e) studying and evaluating the policies, procedures, and programs implemented by  
120 other states that address housing affordability;

121 (f) providing a forum for public comment on issues related to housing affordability;  
122 and

123 (g) providing recommendations to the governor and Legislature on strategies, policies,  
124 procedures, and programs to address the housing affordability needs of the state.

125 (2) To accomplish its duties, the commission may:

126 (a) request and receive from a state or local government agency or institution summary  
127 information relating to housing affordability, including:

128 (i) reports;

129 (ii) audits;

130 (iii) projections; and

131 (iv) statistics; and

132 (b) appoint one or more advisory groups to advise and assist the commission.

133 (3) (a) A member of an advisory group described in Subsection (2)(b):

134 (i) shall be appointed by the commission;

135 (ii) may be:

136 (A) a member of the commission; or

137 (B) an individual from the private or public sector; and

138 (iii) notwithstanding Section [35A-8-2102](#), may not receive reimbursement or pay for  
139 any work done in relation to the advisory group.

140 (b) An advisory group described in Subsection (2)(b) shall report to the commission on  
141 the progress of the advisory group.

142 Section 4. Section **35A-8-2104** is enacted to read:

143 **35A-8-2104. Annual report.**

144 (1) The commission shall annually prepare a report for inclusion in the department's  
145 annual written report described in Section [35A-1-109](#).

146 (2) The report described in Subsection (1) shall:

147 (a) describe how the commission fulfilled its statutory duties during the year; and

148 (b) contain recommendations on how the state should act to address issues relating to  
149 housing affordability.

150 Section 5. Section **63I-1-235** is amended to read:

151 **63I-1-235. Repeal dates, Title 35A.**

152 (1) Subsection **35A-4-312(5)(p)** is repealed July 1, 2019.

153 (2) Title 35A, Chapter 8, Part **21**, Commission on Housing Affordability, is repealed

154 July 1, 2023.