

HB0430S01 compared with HB0430

~~{deleted text}~~ shows text that was in HB0430 but was deleted in HB0430S01.

Inserted text shows text that was not in HB0430 but was inserted into HB0430S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

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: _____

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

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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:

35A-8-2101, Utah Code Annotated 1953

35A-8-2102, Utah Code Annotated 1953

35A-8-2103, Utah Code Annotated 1953

35A-8-2104, Utah Code Annotated 1953

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

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

Part 21. Commission on Housing Affordability

35A-8-2101. Definitions.

As used in this part ~~f,t~~:

(1) "~~f,commission~~Commission" means the Commission on Housing Affordability created in Section 35A-8-2102.

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

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

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

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

(2) The commission shall consist of ~~f,t~~20 members as follows:

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

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

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

~~f,c~~d) the director of the division;

~~f,t~~e) the executive director of the Governor's Office of Economic Development or the executive director's designee;

~~f,c~~f) the executive director of the Department of Transportation or the executive

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director's designee;

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

(~~fg~~h) ~~10~~12 members appointed by the governor as follows:

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

(ii) one individual representing the real estate industry, recommended by the Utah Association of Realtors;

(iii) one individual representing the banking industry, recommended by the Utah Bankers Association;

(iv) one individual representing public housing authorities, recommended by the director of the division;

(v) ~~one individual~~two individuals representing municipal government, recommended by the Utah League of Cities and Towns;

(vi) one individual representing redevelopment agencies and community reinvestment agencies, recommended by the Utah Redevelopment Association;

(vii) two individuals representing county government, recommended by the Utah Association of Counties, where:

(A) one of the individuals is from a county of the first class; and

(B) one of the individuals is from a ~~rural~~county of the third, fourth, fifth, or sixth class;

(viii) one individual representing a nonprofit organization that addresses issues related to ~~affordable housing~~housing affordability; ~~and~~

(ix) one individual with expertise on ~~affordable housing~~housing affordability issues in rural communities~~;~~ and

(x) one individual representing the Salt Lake Chamber, recommended by the Salt Lake Chamber.

(3) (a) When a vacancy occurs in a position appointed by the governor under Subsection (2)(~~fg~~h), the governor shall appoint a person to fill the vacancy.

(b) Members appointed under Subsection (2)(~~fg~~h) may be removed by the governor for cause.

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(c) A member appointed under Subsection (2)(~~fg~~~~h~~) shall be removed from the commission and replaced by an appointee of the governor if the member is absent for three consecutive meetings of the commission without being excused by a cochair of the commission.

(d) A member serves until the member's successor is appointed ~~and qualified~~.

(4) (a) The commission shall select two members to serve as cochairs, one of ~~which~~ whom shall be a legislator.

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

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

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

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

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

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

(i) Section 63A-3-106;

(ii) Section 63A-3-107; and

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

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

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

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

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

(1) The commission's duties include:

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

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(b) identifying and recommending implementation of specific strategies, policies, procedures, and programs to address the ~~{affordable housing}~~housing affordability needs of the state;

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

(d) studying, evaluating, and reporting on the status and effectiveness of policies, procedures, and programs that address ~~{affordable housing}~~housing affordability in the state;

(e) studying and evaluating the policies, procedures, and programs implemented by other states that address ~~{affordable housing}~~housing affordability;

(f) providing a forum for public comment on issues related to ~~{affordable housing}~~housing affordability; and

(g) providing recommendations to the governor and Legislature on strategies, policies, procedures, and programs to address the ~~{affordable housing}~~housing affordability needs of the state.

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

(a) request and receive from a state or local government agency or institution summary information relating to ~~{affordable housing}~~housing affordability, including:

(i) reports;

(ii) audits;

(iii) projections; and

(iv) statistics;†

~~_____ (b) apply for and accept grants or donations for uses consistent with the duties of the commission from public or private sources; and~~

~~_____ (c) and~~

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

~~{ _____ (3) Money received under Subsection (2)(b) shall be:~~

~~_____ (a) accounted for and expended in compliance with the requirements of federal and state law; and~~

~~_____ (b) continuously available to the commission to carry out the commission's duties.~~

† ~~{4}3~~ (a) A member of an advisory group described in Subsection (2)(~~{c}~~b):

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(i) shall be appointed by the commission;

(ii) may be:

(A) a member of the commission; or

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

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

(b) An advisory group described in Subsection (2)(~~f~~^b) shall report to the commission on the progress of the advisory group.

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

35A-8-2104. Annual report.

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

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

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

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

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

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

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

(2) Title 35A, Chapter 8, Part 21, Commission on Housing Affordability, is repealed July 1, 2023.

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Legislative Review Note

Office of Legislative Research and General Counsel†