

Stephen L. Whyte proposes the following substitute bill:

Housing Attainability Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephen L. Whyte

Senate Sponsor: Lincoln Fillmore

LONG TITLE

General Description:

This bill amends provisions related to affordable housing.

Highlighted Provisions:

This bill:

- modifies and defines terms;
- provides that a closed meeting may be held under certain circumstances by a political subdivision;
- provides that a city of the first or second class, under certain conditions, may qualify for funds from the Utah Homes Investment Program (program) to rehabilitate attainable homes within the city of the first or second class boundaries;
- extends the sunset date for the program by two years;
- allows for certain uses of school surplus lands for affordable housing;
- provides that among the trustees appointed to the Utah Housing Corporation that no more than two trustees are from the same county;
- repeals the sunset date for the Utah Housing Corporation;
- allows the Utah Housing Corporation to return deposits made by the state treasurer for loan financing for certain attainable homes upon certain conditions;
- makes technical and conforming changes; and
- provides a coordination clause with H.B. 412, Boards and Commissions Revisions, regarding Section 63H-8-201.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

This bill provides a coordination clause.

29 **Utah Code Sections Affected:**

30 AMENDS:

- 31 **51-12-101**, as enacted by Laws of Utah 2024, Chapter 510
- 32 **51-12-201**, as enacted by Laws of Utah 2024, Chapter 510
- 33 **51-12-202**, as enacted by Laws of Utah 2024, Chapter 510
- 34 **51-12-203**, as enacted by Laws of Utah 2024, Chapter 510
- 35 **51-12-204**, as enacted by Laws of Utah 2024, Chapter 510
- 36 **52-4-205**, as last amended by Laws of Utah 2024, Chapters 135, 288, 506, and 524
- 37 **53G-4-902**, as renumbered and amended by Laws of Utah 2018, Chapter 3
- 38 **63H-8-201**, as last amended by Laws of Utah 2024, Chapter 443
- 39 **63I-1-251**, as last amended by Laws of Utah 2024, Third Special Session, Chapter 5
- 40 **63I-1-263**, as last amended by Laws of Utah 2024, Third Special Session, Chapter 4
- 41 **63I-1-272**, as last amended by Laws of Utah 2024, Third Special Session, Chapter 5
- 42 **63L-12-101**, as enacted by Laws of Utah 2022, Chapter 406
- 43 **72-2-134**, as enacted by Laws of Utah 2024, Chapter 510

44 **Utah Code Sections affected by Coordination Clause:**



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

47 Section 1. Section **51-12-101** is amended to read:

48 **51-12-101 . Definitions.**

49 As used in this chapter:

- 50 (1) "Attainable home" means a residence that costs the purchaser no more than the amount
- 51 a qualifying residential unit may be purchased in accordance with Subsection 63H-8-501
- 52 (6)(e) at the time the state treasurer deposits with a qualified depository.
- 53 (2) "City of the first class" means the same as that term is defined in Section 10-2-301.
- 54 (3) "City of the second class" means the same as that term is defined in Section 10-2-301.
- 55 [(2)] (4) "Fund" means the Transportation Infrastructure General Fund Support Subfund
- 56 created in Section 72-2-134.
- 57 [(3)] (5) "Political subdivision" means:
- 58 (a) the municipality in which the attainable home is located; or
- 59 (b) the county, if the attainable home is located in an unincorporated portion of the
- 60 county.
- 61 [(4)] (6) "Qualified depository" means:
- 62 (a) the same as that term is defined in Section 51-7-3[-] ; or

63 (b) the Utah Housing Corporation as described in Title 63H, Chapter 8, Utah Housing
 64 Corporation Act.

65 [~~(5)~~] (7)(a) "Qualified project" means a new construction housing development project in
 66 the state for which the developer:

67 (i) commits to:

68 (A) offering for sale no fewer than 60% of the total units within the project as
 69 attainable homes;

70 (B) including in the deed of sale for an attainable home a restriction, in favor of
 71 the political subdivision, that the attainable home be [~~owner-occupied~~]
 72 owner-occupied for no fewer than five years; and

73 (C) having a plan to provide information to potential buyers of attainable homes
 74 about the First-Time Homebuyer Assistance Program created in Section
 75 63H-8-502; and

76 (ii) executes a valid agreement with the political subdivision or the Utah Housing
 77 Corporation to develop housing meeting the requirements of Subsections [
 78 ~~(5)(a)(i)(A) and (B).~~] (7)(a)(i)(A) and (B).

79 (b) "Qualified project" includes infrastructure within the housing development project.

80 (c) "Qualified project" includes a project by a city of the first or second class that
 81 commits to:

82 (i) receiving no more than \$10,000,000 in deposits within one year from the day on
 83 which the city of the first or second class enters into a loan agreement with the
 84 qualified depository described in Subsection (6)(b) for a project as an attainable
 85 home;

86 (ii) using the deposit to acquire and rehabilitate single-family homes within the city
 87 limits of the city of the first or second class boundaries;

88 (iii) offering for sale the rehabilitated single-family home as an attainable home,
 89 including in the deed of sale for an attainable home a restriction, in favor of the
 90 city of the first or second class, that the attainable home be owner-occupied for no
 91 fewer than five years; and

92 (iv) expanding an existing effort to acquire and rehabilitate single-family homes as
 93 described in Subsections (7)(c)(ii) and (iii).

94 Section 2. Section **51-12-201** is amended to read:

95 **51-12-201 . Investment opportunities.**

96 (1) A qualified depository may request the state treasurer to make a deposit in the qualified

97 depository if the qualified depository:

98 (a) has identified and approved for financing a qualified project; and

99 (b) requests no more than 100% of the financing for a qualified project.

100 (2) Subject to Subsection (3), the state treasurer shall approve the qualified depository's
101 request for deposit:

102 (a) unless the state treasurer determines the qualified depository does not merit deposit
103 under fiduciary duties and prudent investment practices within the parameters of this
104 chapter;

105 (b) in an amount that is equal to the lesser of:

106 (i) the deposit amount requested;

107 (ii) \$60,000,000; or

108 (iii) 50% of the qualified depository's maximum amount of public deposits
109 determined in accordance with Section 51-7-18.1; and

110 (c) as sufficient money becomes available in the fund and in accordance with Subsection
111 72-2-134(4)(a).

112 (3) The state treasurer may not approve a request for deposit after December 31, [2025] 2027.

113 (4) The state treasurer shall notify Utah Housing Corporation of any qualified projects for
114 which the state treasurer makes a deposit in a qualified depository.

115 Section 3. Section **51-12-202** is amended to read:

116 **51-12-202 . Terms of deposit.**

117 (1) The state treasurer shall enter into a deposit agreement with an approved qualified
118 depository in accordance with Section 51-12-201.

119 (2) The deposit agreement shall provide that the qualified depository:

120 (a) shall offer loan financing to a developer or city of the first or second class of a
121 qualified project at a rate no higher than 150 basis points above the federal funds
122 effective rate at the time of the deposit;

123 (b) shall return the amount of deposit:

124 (i) with interest at a rate equal to the greater of:

125 (A) the federal funds effective rate at the time of the deposit minus 200 basis
126 points; or

127 (B) 0.5%; and

128 (ii) at the earlier of:

129 (A) 24 months from the day on which the deposit is made;

130 (B) repayment of the loan financing;

- 131 (C) the sale of the last home in the qualified project; or
 132 (D) June 30, [~~2027~~] 2029;
- 133 (c) is responsible for return of the amount of the deposit with accrued interest regardless
 134 of the completion of the qualified project or the repayment of the qualified
 135 depository's loan to the developer or city of the first or second class of the qualified
 136 project; and
- 137 (d) shall report to the state treasurer the total number of housing units and the number of
 138 attainable homes each qualified project created.
- 139 (3)(a) Notwithstanding the provisions of Subsections (2)(b)(ii) and (2)(c), for a deposit
 140 made to the Utah Housing Corporation, the Utah Housing Corporation shall return
 141 the amount of the deposit with accrued interest when the Utah Housing Corporation
 142 has received:
- 143 (i) repayment of the loan financing; or
 144 (ii) proceeds from the sale or other disposition of the homes in the qualified project.
- 145 (b) The Utah Housing Corporation may return the deposit later than the time period
 146 described in Subsection (2)(b)(ii)(A) or (D) without penalty.
- 147 [~~3~~] (4) A qualified depository may return the deposit earlier than the time period described
 148 in Subsection (2)(b)(ii) without penalty.
- 149 [~~4~~] (5) The state treasurer shall deposit the return of the amount of the deposit, including
 150 interest, into the fund.

151 Section 4. Section **51-12-203** is amended to read:

152 **51-12-203 . Penalty.**

153 A developer, city of the first or second class, or a qualified depository that fails to
 154 comply with the terms of deposit is disqualified from subsequent participation in the Utah
 155 Homes Investment Program.

156 Section 5. Section **51-12-204** is amended to read:

157 **51-12-204 . Exception to credit union lending requirements.**

158 Notwithstanding any provision of Title 7, Chapter 9, Utah Credit Union Act, or any
 159 other applicable statute requiring membership in the credit union by a borrower, a state or
 160 federally chartered credit union may make a loan to a developer or city of the first or second
 161 class of a qualified project and may request a deposit in accordance with Sections 51-12-201
 162 and 51-12-202.

163 Section 6. Section **52-4-205** is amended to read:

164 **52-4-205 . Purposes of closed meetings -- Certain issues prohibited in closed**

165 **meetings.**

- 166 (1) A closed meeting described under Section 52-4-204 may only be held for:
- 167 (a) except as provided in Subsection (3), discussion of the character, professional
168 competence, or physical or mental health of an individual;
- 169 (b) strategy sessions to discuss collective bargaining;
- 170 (c) strategy sessions to discuss pending or reasonably imminent litigation;
- 171 (d) strategy sessions to discuss the purchase, exchange, or lease of real property,
172 including any form of a water right or water shares, or to discuss a proposed
173 development agreement, project proposal, or financing proposal related to the
174 development of land owned by the state or a political subdivision, if public
175 discussion would:
- 176 (i) disclose the appraisal or estimated value of the property under consideration; or
177 (ii) prevent the public body from completing the transaction on the best possible
178 terms;
- 179 (e) strategy sessions to discuss the sale of real property, including any form of a water
180 right or water shares, if:
- 181 (i) public discussion of the transaction would:
- 182 (A) disclose the appraisal or estimated value of the property under consideration;
183 or
184 (B) prevent the public body from completing the transaction on the best possible
185 terms;
- 186 (ii) the public body previously gave public notice that the property would be offered
187 for sale; and
- 188 (iii) the terms of the sale are publicly disclosed before the public body approves the
189 sale;
- 190 (f) discussion regarding deployment of security personnel, devices, or systems;
- 191 (g) investigative proceedings regarding allegations of criminal misconduct;
- 192 (h) as relates to the Independent Legislative Ethics Commission, conducting business
193 relating to the receipt or review of ethics complaints;
- 194 (i) as relates to an ethics committee of the Legislature, a purpose permitted under [
195 ~~Subsection 52-4-204(1)(a)(iii)(C)] Section 52-4-204;~~
- 196 (j) as relates to the Independent Executive Branch Ethics Commission created in Section
197 63A-14-202, conducting business relating to an ethics complaint;
- 198 (k) as relates to a county legislative body, discussing commercial information as defined

- 199 in Section 59-1-404;
- 200 (l) as relates to the Utah Higher Education Savings Board of Trustees and its appointed
201 board of directors, discussing fiduciary or commercial information;
- 202 (m) deliberations, not including any information gathering activities, of a public body
203 acting in the capacity of:
- 204 (i) an evaluation committee under Title 63G, Chapter 6a, Utah Procurement Code,
205 during the process of evaluating responses to a solicitation, as defined in Section
206 63G-6a-103;
- 207 (ii) a protest officer, defined in Section 63G-6a-103, during the process of making a
208 decision on a protest under Title 63G, Chapter 6a, Part 16, Protests; or
- 209 (iii) a procurement appeals panel under Title 63G, Chapter 6a, Utah Procurement
210 Code, during the process of deciding an appeal under Title 63G, Chapter 6a, Part
211 17, Procurement Appeals Board;
- 212 (n) the purpose of considering information that is designated as a trade secret, as defined
213 in Section 13-24-2, if the public body's consideration of the information is necessary
214 to properly conduct a procurement under Title 63G, Chapter 6a, Utah Procurement
215 Code;
- 216 (o) the purpose of discussing information provided to the public body during the
217 procurement process under Title 63G, Chapter 6a, Utah Procurement Code, if, at the
218 time of the meeting:
- 219 (i) the information may not, under Title 63G, Chapter 6a, Utah Procurement Code, be
220 disclosed to a member of the public or to a participant in the procurement process;
221 and
- 222 (ii) the public body needs to review or discuss the information to properly fulfill its
223 role and responsibilities in the procurement process;
- 224 (p) as relates to the governing board of a governmental nonprofit corporation, as that
225 term is defined in Section 11-13a-102, the purpose of discussing information that is
226 designated as a trade secret, as that term is defined in Section 13-24-2, if:
- 227 (i) public knowledge of the discussion would reasonably be expected to result in
228 injury to the owner of the trade secret; and
- 229 (ii) discussion of the information is necessary for the governing board to properly
230 discharge the board's duties and conduct the board's business;
- 231 (q) as it relates to the Cannabis Production Establishment Licensing Advisory Board, to
232 review confidential information regarding violations and security requirements in

- 233 relation to the operation of cannabis production establishments;
- 234 (r) considering a loan application, if public discussion of the loan application would
235 disclose:
- 236 (i) nonpublic personal financial information; or
- 237 (ii) a nonpublic trade secret, as defined in Section 13-24-2, or nonpublic business
238 financial information the disclosure of which would reasonably be expected to
239 result in unfair competitive injury to the person submitting the information;
- 240 (s) a discussion of the board of the Point of the Mountain State Land Authority, created
241 in Section 11-59-201, regarding a potential tenant of point of the mountain state land,
242 as defined in Section 11-59-102; or
- 243 (t) a purpose for which a meeting is required to be closed under Subsection (2).
- 244 (2) The following meetings shall be closed:
- 245 (a) a meeting of the Health and Human Services Interim Committee to review a report
246 described in Subsection 26B-1-506(1)(a), and a response to the report described in
247 Subsection 26B-1-506(2);
- 248 (b) a meeting of the Child Welfare Legislative Oversight Panel to:
- 249 (i) review a report described in Subsection 26B-1-506(1)(a), and a response to the
250 report described in Subsection 26B-1-506(2); or
- 251 (ii) review and discuss an individual case, as described in [~~Subsection 36-33-103(2)~~]
252 Section 36-33-103;
- 253 (c) a meeting of a conservation district as defined in Section 17D-3-102 for the purpose
254 of advising the Natural Resource Conservation Service of the United States
255 Department of Agriculture on a farm improvement project if the discussed
256 information is protected information under federal law;
- 257 (d) a meeting of the Compassionate Use Board established in Section 26B-1-421 for the
258 purpose of reviewing petitions for a medical cannabis card in accordance with
259 Section 26B-1-421;
- 260 (e) a meeting of the Colorado River Authority of Utah if:
- 261 (i) the purpose of the meeting is to discuss an interstate claim to the use of the water
262 in the Colorado River system; and
- 263 (ii) failing to close the meeting would:
- 264 (A) reveal the contents of a record classified as protected under Subsection
265 63G-2-305(81);
- 266 (B) reveal a legal strategy relating to the state's claim to the use of the water in the

- 267 Colorado River system;
- 268 (C) harm the ability of the Colorado River Authority of Utah or river
 269 commissioner to negotiate the best terms and conditions regarding the use of
 270 water in the Colorado River system; or
- 271 (D) give an advantage to another state or to the federal government in negotiations
 272 regarding the use of water in the Colorado River system;
- 273 (f) a meeting of the General Regulatory Sandbox Program Advisory Committee if:
- 274 (i) the purpose of the meeting is to discuss an application for participation in the
 275 regulatory sandbox as defined in Section 63N-16-102; and
- 276 (ii) failing to close the meeting would reveal the contents of a record classified as
 277 protected under Subsection 63G-2-305(82); and
- 278 (g) a meeting of a project entity if:
- 279 (i) the purpose of the meeting is to conduct a strategy session to discuss market
 280 conditions relevant to a business decision regarding the value of a project entity
 281 asset if the terms of the business decision are publicly disclosed before the
 282 decision is finalized and a public discussion would:
- 283 (A) disclose the appraisal or estimated value of the project entity asset under
 284 consideration; or
- 285 (B) prevent the project entity from completing on the best possible terms a
 286 contemplated transaction concerning the project entity asset;
- 287 (ii) the purpose of the meeting is to discuss a record, the disclosure of which could
 288 cause commercial injury to, or confer a competitive advantage upon a potential or
 289 actual competitor of, the project entity;
- 290 (iii) the purpose of the meeting is to discuss a business decision, the disclosure of
 291 which could cause commercial injury to, or confer a competitive advantage upon a
 292 potential or actual competitor of, the project entity; or
- 293 (iv) failing to close the meeting would prevent the project entity from getting the best
 294 price on the market.
- 295 (3) In a closed meeting, a public body may not:
- 296 (a) interview a person applying to fill an elected position;
- 297 (b) discuss filling a midterm vacancy or temporary absence governed by Title 20A,
 298 Chapter 1, Part 5, Candidate Vacancy and Vacancy and Temporary Absence in
 299 Elected Office; or
- 300 (c) discuss the character, professional competence, or physical or mental health of the

301 person whose name was submitted for consideration to fill a midterm vacancy or
302 temporary absence governed by Title 20A, Chapter 1, Part 5, Candidate Vacancy and
303 Vacancy and Temporary Absence in Elected Office.

304 Section 7. Section **53G-4-902** is amended to read:

305 **53G-4-902 . Purchase of surplus property.**

306 (1) An eligible entity may purchase, and each school district shall sell, surplus property as
307 provided in this section.

308 (2)(a) Upon declaring land to be surplus property, each school district shall give written
309 notice to each eligible entity in which the surplus property is located.

310 (b) Each notice under Subsection (2)(a) shall:

311 (i) state that the school district has declared the land to be surplus property; and

312 (ii) describe the surplus property.

313 (3) Subject to Subsection (4), an eligible entity may purchase the surplus property by
314 paying the school district the purchase price.

315 (4)(a) The legislative body of each eligible entity desiring to purchase surplus property
316 under this section shall:

317 (i) within 90 days after the eligible entity receives notice under Subsection (2), adopt
318 a resolution declaring the intent to purchase the surplus property and deliver a
319 copy of the resolution to the school district; and

320 (ii) within 90 days after delivering a copy of the resolution under Subsection (4)(a)(i)
321 to the school district, deliver to the school district an earnest money offer to
322 purchase the surplus property at the purchase price.

323 (b) If an eligible entity fails to comply with either of the requirements under Subsection
324 (4)(a) within the applicable time period, the eligible entity forfeits the right to
325 purchase the surplus property.

326 (5)(a) An eligible entity may waive [its] the eligible entity's right to purchase surplus
327 property under this part by submitting a written waiver to the school district.

328 (b) If an eligible entity submits a waiver under Subsection (5)(a), the school district has
329 no further obligation under this part to sell the surplus property to the eligible entity.

330 (6) Surplus property acquired by an eligible entity may not be used for any purpose other
331 than:

332 (a) a county, city, or town hall;

333 (b) a park or other open space;

334 (c) a cultural center or community center;

- 335 (d) a facility for the promotion, creation, or retention of public or private jobs within the
 336 state through planning, design, development, construction, rehabilitation, business
 337 relocation, or any combination of these, within a county, city, or town;
- 338 (e) office, industrial, manufacturing, warehousing, distribution, parking, or other public
 339 or private facilities, or other improvements that benefit the state or a county, city, or
 340 town; [or]
- 341 (f) a facility for a charter school under Chapter 5, Charter Schools[-] ; or
- 342 (g) the sale, use, or lease for moderate income housing, as defined in Section 63L-12-101.
- 343 (7)(a) A school district that sells surplus property under this part may use proceeds from
 344 the sale only for bond debt reduction or school district capital facilities.
- 345 (b) Each school district that sells surplus property under this part shall place all proceeds
 346 from the sale that are not used for bond debt reduction in a capital facilities fund of
 347 the school district for use for school district capital facilities.

348 Section 8. Section **63H-8-201** is amended to read:

349 **63H-8-201 . Creation -- Trustees -- Terms -- Vacancies -- Chair -- Powers --**
 350 **Quorum -- Per diem and expenses -- Annual conflict of interest disclosure statement --**
 351 **Penalties.**

- 352 (1)(a) There is created an independent body politic and corporate, constituting a public
 353 corporation, known as the "Utah Housing Corporation."
- 354 (b) The corporation may also be known and do business as the:
- 355 (i) Utah Housing Finance Association; and
- 356 (ii) Utah Housing Finance Agency in connection with a contract entered into when
 357 that was the corporation's legal name.
- 358 (c) No other entity may use the names described in Subsections (1)(a) and (b) without
 359 the express approval of the corporation.
- 360 (2) The corporation is governed by a board of trustees composed of the following nine
 361 trustees:
- 362 (a) the executive director of the Department of Workforce Services or the executive
 363 director's designee;
- 364 (b) the commissioner of the Department of Financial Institutions or the commissioner's
 365 designee;
- 366 (c) the state treasurer or the treasurer's designee; and
- 367 (d) six public trustees, who are private citizens of the state, as follows:
- 368 (i) two people who represent the mortgage lending industry;

- 369 (ii) two people who represent the home building and real estate industry; and
370 (iii) two people who represent the public at large.
- 371 (3) The governor shall:
- 372 (a) appoint the six public trustees of the corporation with the advice and consent of the
373 Senate in accordance with Title 63G, Chapter 24, Part 2, Vacancies; and
374 (b) ensure that[:]
- 375 [(i)] among the six public trustees[are from different counties] , no more than two
376 are from the same county and all are residents of the state[; and] .
377 [(ii) ~~not more than three of the public trustees are members of the same political party.~~]
- 378 (4)(a) Except as required by Subsection (4)(b), the governor shall appoint the six public
379 trustees to terms of office of four years each.
- 380 (b) Notwithstanding the requirements of Subsection (4)(a), the governor shall, at the
381 time of appointment or reappointment, adjust the length of terms to ensure that the
382 terms of corporation trustees are staggered so that approximately half of the board is
383 appointed every two years.
- 384 (5)(a) A public trustee of the corporation may be removed from office for cause either
385 by the governor or by an affirmative vote of six trustees of the corporation.
- 386 (b) When a vacancy occurs in the board of trustees for any reason, the replacement shall
387 be appointed for the unexpired term.
- 388 (c) A public trustee shall hold office for the term of appointment and until the trustee's
389 successor has been appointed and qualified.
- 390 (d) A public trustee is eligible for reappointment but may not serve more than two full
391 consecutive terms.
- 392 (6)(a) The governor shall select the chair of the corporation.
- 393 (b) The trustees shall elect from among their number a vice chair and other officers they
394 may determine.
- 395 (7)(a) Five trustees of the corporation constitute a quorum for transaction of business.
- 396 (b) An affirmative vote of at least five trustees is necessary for any action to be taken by
397 the corporation.
- 398 (c) A vacancy in the board of trustees does not impair the right of a quorum to exercise
399 all rights and perform all duties of the corporation.
- 400 (8) A trustee may not receive compensation or benefits for the trustee's service, but may
401 receive per diem and travel expenses in accordance with:
- 402 (a) Section 63A-3-106;

- 403 (b) Section 63A-3-107; and
- 404 (c) rules made by the Division of Finance according to Sections 63A-3-106 and
- 405 63A-3-107.
- 406 (9) A trustee shall, no sooner than January 1 and no later than January 31 of each year
- 407 during which the trustee holds office on the board of trustees:
- 408 (a) prepare a written conflict of interest disclosure statement that contains a response to
- 409 each item of information described in Subsection 20A-11-1604(6); and
- 410 (b) submit the written disclosure statement to the administrator or clerk of the board of
- 411 trustees.
- 412 (10)(a) No later than 10 business days after the date on which the trustee submits the
- 413 written disclosure statement described in Subsection (9) to the administrator or clerk
- 414 of the board of trustees, the administrator or clerk shall:
- 415 (i) post a copy of the written disclosure statement on the corporation's website; and
- 416 (ii) provide the lieutenant governor with a link to the electronic posting described in
- 417 Subsection (10)(a)(i).
- 418 (b) The administrator or clerk shall ensure that the trustee's written disclosure statement
- 419 remains posted on the corporation's website until the trustee leaves office.
- 420 (11) The administrator or clerk of the board of trustees shall take the action described in
- 421 Subsection (12) if:
- 422 (a) a trustee fails to timely file the written disclosure statement described in Subsection
- 423 (9); or
- 424 (b) a submitted written disclosure statement does not comply with the requirements of
- 425 Subsection 20A-11-1604(6).
- 426 (12) If a circumstance described in Subsection (11) occurs, the administrator or clerk of the
- 427 board of trustees shall, within five days after the day on which the administrator or clerk
- 428 determines that a violation occurred, notify the trustee of the violation and direct the
- 429 trustee to submit an amended written disclosure statement correcting the problem.
- 430 (13)(a) It is unlawful for a trustee to fail to submit or amend a written disclosure
- 431 statement within seven days after the day on which the trustee receives the notice
- 432 described in Subsection (12).
- 433 (b) A trustee who violates Subsection (13)(a) is guilty of a class B misdemeanor.
- 434 (c) The administrator or clerk of the board of trustees shall report a violation of
- 435 Subsection (13)(a) to the attorney general.
- 436 (d) In addition to the criminal penalty described in Subsection (13)(b), the administrator

437 or clerk of the board of trustees shall impose a civil fine of \$100 against a member
438 who violates Subsection (13)(a).

439 (14) The administrator or clerk of the board shall deposit a fine collected under this section
440 into the corporation's account to pay for the costs of administering this section.

441 (15) In addition to the written disclosure statement described in Subsection (9), a trustee
442 described in Subsection (2)(d) shall also comply with the conflict of interest provisions
443 described in Section 63G-24-301.

444 Section 9. Section **63I-1-251** is amended to read:

445 **63I-1-251 . Repeal dates: Title 51.**

446 (1) Subsection 51-7-2(1)(p), regarding the Transportation Infrastructure General Fund
447 Support Subfund, is repealed July 1, [2027] 2029.

448 (2) Title 51, Chapter 12, Utah Homes Investment Program, is repealed July 1, [2027] 2029.

449 Section 10. Section **63I-1-263** is amended to read:

450 **63I-1-263 . Repeal dates: Titles 63A to 63O.**

451 [~~(1) Subsection 63A-5b-405(5), regarding prioritizing and allocating capital improvement~~
452 ~~funding, is repealed July 1, 2024.]~~

453 [~~(2) (1) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July~~
454 ~~1, 2028.~~

455 [~~(3) Title 63C, Chapter 6, Utah Seismic Safety Commission, is repealed January 1, 2025.]~~

456 [~~(4) (2) Title 63C, Chapter 18, Behavioral Health Crisis Response Committee, is repealed~~
457 ~~December 31, 2026.~~

458 [~~(5) Title 63C, Chapter 23, Education and Mental Health Coordinating Committee, is~~
459 ~~repealed December 31, 2024.]~~

460 [~~(6) (3) Title 63C, Chapter 25, State Finance Review Commission, is repealed July 1, 2027.~~

461 [~~(7) (4) Title 63C, Chapter 27, Cybersecurity Commission, is repealed July 1, 2032.~~

462 [~~(8) (5) Title 63C, Chapter 28, Ethnic Studies Commission, is repealed July 1, 2026.~~

463 [~~(9) (6) Title 63C, Chapter 31, State Employee Benefits Advisory Commission, is repealed~~
464 ~~July 1, 2028.~~

465 [~~(10) (7) Section 63G-6a-805, Purchase from community rehabilitation programs, is~~
466 ~~repealed July 1, 2026.~~

467 [~~(11) (8) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed July 1,~~
468 ~~2028.~~

469 [~~(12) (9) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed July~~
470 ~~1, 2029.~~

471 [~~(13)~~] Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1, 2026.]
472 [~~(14)~~] (10) Subsection 63J-1-602.2(16), related to the Communication Habits to reduce
473 Adolescent Threats (CHAT) Pilot Program, is repealed July 1, 2029.
474 [~~(15)~~] (11) Subsection 63J-1-602.2(26), regarding the Utah Seismic Safety Commission, is
475 repealed January 1, 2025.
476 [~~(16)~~] (12) Section 63L-11-204, Canyon resource management plan, is repealed July 1, 2025.
477 [~~(17)~~] (13) Title 63L, Chapter 11, Part 4, Resource Development Coordinating Committee,
478 is repealed July 1, 2027.
479 [~~(18)~~] (14) Title 63M, Chapter 7, Part 7, Domestic Violence Offender Treatment Board, is
480 repealed July 1, 2027.
481 [~~(19)~~] (15) Section 63M-7-902, Creation -- Membership -- Terms -- Vacancies -- Expenses,
482 is repealed July 1, 2029.
483 [~~(20)~~] (16) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, 2026.
484 [~~(21)~~] (17) Title 63N, Chapter 1b, Part 4, Women in the Economy Subcommittee, is
485 repealed January 1, 2030.
486 [~~(22)~~] (18) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2028.
487 [~~(23)~~] (19) Subsection 63N-2-511(1)(b), regarding the Board of Tourism Development, is
488 repealed July 1, 2025.
489 [~~(24)~~] (20) Section 63N-2-512, Hotel Impact Mitigation Fund, is repealed July 1, 2028.
490 [~~(25)~~] (21) Title 63N, Chapter 3, Part 9, Strategic Innovation Grant Pilot Program, is
491 repealed July 1, 2027.
492 [~~(26)~~] (22) Title 63N, Chapter 3, Part 11, Manufacturing Modernization Grant Program, is
493 repealed July 1, 2025.
494 [~~(27)~~] (23) Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program, is repealed
495 July 1, 2028.
496 [~~(28)~~] (24) Section 63N-4-804, which creates the Rural Opportunity Advisory Committee, is
497 repealed July 1, 2027.
498 [~~(29)~~] (25) Subsection 63N-4-805(5)(b), regarding the Rural Employment Expansion
499 Program, is repealed July 1, 2028.
500 [~~(30)~~] (26) Subsection 63N-7-101(1), regarding the Board of Tourism Development, is
501 repealed July 1, 2025.
502 [~~(31)~~] (27) Subsection 63N-7-102(3)(c), regarding a requirement for the Utah Office of
503 Tourism to receive approval from the Board of Tourism Development, is repealed July
504 1, 2025.

505 ~~[(32)]~~ (28) Title 63N, Chapter 7, Part 2, Board of Tourism Development, is repealed July 1,
506 2025.

507 Section 11. Section **63I-1-272** is amended to read:

508 **63I-1-272 . Repeal dates: Title 72.**

509 (1) Section 72-2-134, Transportation Infrastructure General Fund Support Subfund, is
510 repealed July 1, ~~[2027]~~ 2029.

511 (2) Title 72, Chapter 4, Part 3, Utah State Scenic Byway Program, is repealed January 2,
512 2030.

513 Section 12. Section **63L-12-101** is amended to read:

514 **63L-12-101 . Definitions.**

515 As used in this chapter:

516 (1) "Governmental entity" means:

517 (a) an agency, as that term is defined in Section 63G-10-102;

518 (b) the School and Institutional Trust Lands Administration created in Section 53C-1-201;

519 (c) the School and Institutional Trust Lands Board of Trustees created in Section
520 53C-1-202; or

521 (d) a political subdivision, as that term is defined in Section 63L-11-102.

522 (2) "Grant" means:

523 (a) to convey, in whole or in part, with or without consideration; and

524 (b) to contract or partner with an entity for the development of moderate income housing.

525 ~~[(2)]~~ (3) ~~["Moderate income housing" means housing occupied or reserved for occupancy by
526 households with a gross household income equal to or less than 80% of the median gross
527 income for households of the same size in the county in which the housing is located.]~~

528 "Moderate income housing" means a dwelling that:

529 (a) is offered for sale to an owner-occupier at a purchase price affordable to a household
530 with a gross income of no more than 120% of the area median income for the county

531 in which the residential unit is offered for sale and is deed restricted for no fewer than
532 five years; or

533 (b) offered for rent at a rental price affordable to a household with a gross income of no
534 more than 80% of the area median income for the county in which the residential unit

535 is offered for rent.

536 ~~[(3)]~~ (4) "Municipality" means the same as that term is defined in Section 10-1-104.

537 (5) "Owner-occupier" means an individual who owns, solely or jointly, a housing unit in
538 which the individual lives as the individual's primary residence.

539 Section 13. Section **72-2-134** is amended to read:

540 **72-2-134 . Transportation Infrastructure General Fund Support Subfund.**

541 (1) There is created within the Transportation Investment Fund of 2005 a subfund known as
542 the "Transportation Infrastructure General Fund Support Subfund."

543 (2) The subfund consists of:

544 (a) appropriations by the Legislature;

545 (b) interest earned on the subfund; and

546 (c) returns of the amounts of deposit with accrued interest made in accordance with
547 Section 51-12-202.

548 (3)(a) The subfund shall earn interest.

549 (b) Interest earned on money in the subfund shall be deposited into the subfund.

550 (4)(a) The state treasurer shall deposit up to \$300,000,000 from the subfund in
551 accordance with Title 51, Chapter 12, Utah Homes Investment Program.

552 (b) Notwithstanding Subsection (4)(a), the state treasurer may otherwise invest funds
553 described in Subsection (4)(a) if funds are available after qualified projects are
554 approved under Section 51-12-201.

555 (5) On June 30, [2027] 2029, the Division of Finance shall transfer any balance in the
556 subfund into the Transportation Investment Fund of 2005.

557 Section 14. **Effective Date.**

558 This bill takes effect on July 1, 2025.

559 Section 15. **Coordinating H.B. 360 with H.B. 412.**

560 If H.B. 360, Housing Attainability Amendments, and H.B. 412, Boards and
561 Commissions Revisions, both pass and become law, the Legislature intends that, on July 1,
562 2025, the amendments to Subsection 63H-8-201(3)(b) in H.B. 360 supersede the amendments
563 to Subsection 63H-8-201(3)(b) in H.B. 412.