

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

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**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 one year;
- 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;
- provides that the Department of Transportation may make rules regarding the sale of surplus real property to a state agency under certain conditions;
- 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.

**Utah Code Sections Affected:**

**AMENDS:**

**51-12-101**, as enacted by Laws of Utah 2024, Chapter 510

**51-12-201**, as enacted by Laws of Utah 2024, Chapter 510

**51-12-202**, as enacted by Laws of Utah 2024, Chapter 510

**51-12-203**, as enacted by Laws of Utah 2024, Chapter 510

**51-12-204**, as enacted by Laws of Utah 2024, Chapter 510

**52-4-205**, as last amended by Laws of Utah 2024, Chapters 135, 288, 506, and 524

**53G-4-902**, as renumbered and amended by Laws of Utah 2018, Chapter 3

**63H-8-201**, as last amended by Laws of Utah 2024, Chapter 443

**63I-1-251**, as last amended by Laws of Utah 2024, Third Special Session, Chapter 5

**63I-1-263**, as last amended by Laws of Utah 2024, Third Special Session, Chapter 4

**63I-1-272**, as last amended by Laws of Utah 2024, Third Special Session, Chapter 5

**63L-12-101**, as enacted by Laws of Utah 2022, Chapter 406

**72-2-134**, as enacted by Laws of Utah 2024, Chapter 510

**72-5-117**, as last amended by Laws of Utah 2023, Chapter 219

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

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

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

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

As used in this chapter:

(1) "Attainable home" means a residence that costs the purchaser no more than the amount a qualifying residential unit may be purchased in accordance with [Subsection ~~63H-8-501(6)(e)~~] Section 63H-8-501 at the time the state treasurer deposits with a qualified depository.

(2) "City of the first class" means the same as that term is defined in Section 10-2-301.

(3) "City of the second class" means the same as that term is defined in Section 10-2-301.

[~~(2)~~] (4) "Fund" means the Transportation Infrastructure General Fund Support Subfund created in Section 72-2-134.

[~~(3)~~] (5) "Political subdivision" means:

(a) the municipality in which the attainable home is located; or

(b) the county, if the attainable home is located in an unincorporated portion of the county.

~~[(4)]~~ (6) "Qualified depository" means:

(a) the same as that term is defined in Section 51-7-3[-] ; or

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

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

(i) commits to:

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

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

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

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

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

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

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

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

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

(iv) expanding an existing effort to acquire and rehabilitate single-family homes as

described in Subsections (7)(c)(ii) and (iii).

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

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

- (1) A qualified depository may request the state treasurer to make a deposit in the qualified depository if the qualified depository:
  - (a) has identified and approved for financing a qualified project; and
  - (b) requests no more than 100% of the financing for a qualified project.
- (2) Subject to Subsection (3), the state treasurer shall approve the qualified depository's request for deposit:
  - (a) unless the state treasurer determines the qualified depository does not merit deposit under fiduciary duties and prudent investment practices within the parameters of this chapter;
  - (b) in an amount that is equal to the lesser of:
    - (i) the deposit amount requested;
    - (ii) \$60,000,000; or
    - (iii) 50% of the qualified depository's maximum amount of public deposits determined in accordance with Section 51-7-18.1; and
  - (c) as sufficient money becomes available in the fund and in accordance with Subsection 72-2-134(4)(a).
- (3) The state treasurer may not approve a request for deposit after December 31, ~~[2025]~~ 2027.
- (4) The state treasurer shall notify Utah Housing Corporation of any qualified projects for which the state treasurer makes a deposit in a qualified depository.

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

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

- (1) The state treasurer shall enter into a deposit agreement with an approved qualified depository in accordance with Section 51-12-201.
- (2) The deposit agreement shall provide that the qualified depository:
  - (a) shall offer loan financing to a developer or city of the first or second class of a qualified project at a rate no higher than 150 basis points above the federal funds effective rate at the time of the deposit;
  - (b) shall return the amount of deposit:
    - (i) with interest at a rate equal to the greater of:
      - (A) the federal funds effective rate at the time of the deposit minus 200 basis points; or

- 131 (B) 0.5%; and  
132 (ii) at the earlier of:  
133 (A) 24 months from the day on which the deposit is made;  
134 (B) repayment of the loan financing;  
135 (C) the sale of the last home in the qualified project; or  
136 (D) June 30, [2027] 2028;
- 137 (c) is responsible for return of the amount of the deposit with accrued interest regardless  
138 of the completion of the qualified project or the repayment of the qualified  
139 depository's loan to the developer or city of the first or second class of the qualified  
140 project; and  
141 (d) shall report to the state treasurer the total number of housing units and the number of  
142 attainable homes each qualified project created.
- 143 (3)(a) Notwithstanding the provisions of Subsections (2)(b)(ii) and (2)(c), for a deposit  
144 made to the Utah Housing Corporation, the Utah Housing Corporation shall return  
145 the amount of the deposit with accrued interest when the Utah Housing Corporation  
146 has received:  
147 (i) repayment of the loan financing; or  
148 (ii) proceeds from the sale or other disposition of the homes in the qualified project.  
149 (b) The Utah Housing Corporation may return the deposit later than the time period  
150 described in Subsection (2)(b)(ii)(A) or (D) without penalty.
- 151 [(3)] (4) A qualified depository may return the deposit earlier than the time period described  
152 in Subsection (2)(b)(ii) without penalty.
- 153 [(4)] (5) The state treasurer shall deposit the return of the amount of the deposit, including  
154 interest, into the fund.

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

156 **51-12-203 . Penalty.**

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

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

161 **51-12-204 . Exception to credit union lending requirements.**

162 Notwithstanding any provision of Title 7, Chapter 9, Utah Credit Union Act, or any  
163 other applicable statute requiring membership in the credit union by a borrower, a state or  
164 federally chartered credit union may make a loan to a developer or city of the first or second

class of a qualified project and may request a deposit in accordance with Sections 51-12-201 and 51-12-202.

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

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

(1) A closed meeting described under Section 52-4-204 may only be held for:

- (a) except as provided in Subsection (3), discussion of the character, professional competence, or physical or mental health of an individual;
- (b) strategy sessions to discuss collective bargaining;
- (c) strategy sessions to discuss pending or reasonably imminent litigation;
- (d) strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares, or to discuss a proposed development agreement, project proposal, or financing proposal related to the development of land owned by the state or a political subdivision, if public discussion would:
  - (i) disclose the appraisal or estimated value of the property under consideration; or
  - (ii) prevent the public body from completing the transaction on the best possible terms;
- (e) strategy sessions to discuss the sale of real property, including any form of a water right or water shares, if:
  - (i) public discussion of the transaction would:
    - (A) disclose the appraisal or estimated value of the property under consideration; or
    - (B) prevent the public body from completing the transaction on the best possible terms;
  - (ii) the public body previously gave public notice that the property would be offered for sale; and
  - (iii) the terms of the sale are publicly disclosed before the public body approves the sale;
- (f) discussion regarding deployment of security personnel, devices, or systems;
- (g) investigative proceedings regarding allegations of criminal misconduct;
- (h) as relates to the Independent Legislative Ethics Commission, conducting business relating to the receipt or review of ethics complaints;
- (i) as relates to an ethics committee of the Legislature, a purpose permitted under [

~~Subsection 52-4-204(1)(a)(iii)(C)]~~ Section 52-4-204;

- (j) as relates to the Independent Executive Branch Ethics Commission created in Section 63A-14-202, conducting business relating to an ethics complaint;
- (k) as relates to a county legislative body, discussing commercial information as defined in Section 59-1-404;
- (l) as relates to the Utah Higher Education Savings Board of Trustees and its appointed board of directors, discussing fiduciary or commercial information;
- (m) deliberations, not including any information gathering activities, of a public body acting in the capacity of:
  - (i) an evaluation committee under Title 63G, Chapter 6a, Utah Procurement Code, during the process of evaluating responses to a solicitation, as defined in Section 63G-6a-103;
  - (ii) a protest officer, defined in Section 63G-6a-103, during the process of making a decision on a protest under Title 63G, Chapter 6a, Part 16, Protests; or
  - (iii) a procurement appeals panel under Title 63G, Chapter 6a, Utah Procurement Code, during the process of deciding an appeal under Title 63G, Chapter 6a, Part 17, Procurement Appeals Board;
- (n) the purpose of considering information that is designated as a trade secret, as defined in Section 13-24-2, if the public body's consideration of the information is necessary to properly conduct a procurement under Title 63G, Chapter 6a, Utah Procurement Code;
- (o) the purpose of discussing information provided to the public body during the procurement process under Title 63G, Chapter 6a, Utah Procurement Code, if, at the time of the meeting:
  - (i) the information may not, under Title 63G, Chapter 6a, Utah Procurement Code, be disclosed to a member of the public or to a participant in the procurement process; and
  - (ii) the public body needs to review or discuss the information to properly fulfill its role and responsibilities in the procurement process;
- (p) as relates to the governing board of a governmental nonprofit corporation, as that term is defined in Section 11-13a-102, the purpose of discussing information that is designated as a trade secret, as that term is defined in Section 13-24-2, if:
  - (i) public knowledge of the discussion would reasonably be expected to result in injury to the owner of the trade secret; and

- (ii) discussion of the information is necessary for the governing board to properly discharge the board's duties and conduct the board's business;
- (q) as it relates to the Cannabis Production Establishment Licensing Advisory Board, to review confidential information regarding violations and security requirements in relation to the operation of cannabis production establishments;
- (r) considering a loan application, if public discussion of the loan application would disclose:
- (i) nonpublic personal financial information; or
- (ii) a nonpublic trade secret, as defined in Section 13-24-2, or nonpublic business financial information the disclosure of which would reasonably be expected to result in unfair competitive injury to the person submitting the information;
- (s) a discussion of the board of the Point of the Mountain State Land Authority, created in Section 11-59-201, regarding a potential tenant of point of the mountain state land, as defined in Section 11-59-102; or
- (t) a purpose for which a meeting is required to be closed under Subsection (2).
- (2) The following meetings shall be closed:
- (a) a meeting of the Health and Human Services Interim Committee to review a report described in Subsection 26B-1-506(1)(a), and a response to the report described in Subsection 26B-1-506(2);
- (b) a meeting of the Child Welfare Legislative Oversight Panel to:
- (i) review a report described in Subsection 26B-1-506(1)(a), and a response to the report described in Subsection 26B-1-506(2); or
- (ii) review and discuss an individual case, as described in [~~Subsection 36-33-103(2)~~]  
Section 36-33-103;
- (c) a meeting of a conservation district as defined in Section 17D-3-102 for the purpose of advising the Natural Resource Conservation Service of the United States Department of Agriculture on a farm improvement project if the discussed information is protected information under federal law;
- (d) a meeting of the Compassionate Use Board established in Section 26B-1-421 for the purpose of reviewing petitions for a medical cannabis card in accordance with Section 26B-1-421;
- (e) a meeting of the Colorado River Authority of Utah if:
- (i) the purpose of the meeting is to discuss an interstate claim to the use of the water in the Colorado River system; and

- 267 (ii) failing to close the meeting would:
- 268 (A) reveal the contents of a record classified as protected under Subsection
- 269 63G-2-305(81);
- 270 (B) reveal a legal strategy relating to the state's claim to the use of the water in the
- 271 Colorado River system;
- 272 (C) harm the ability of the Colorado River Authority of Utah or river
- 273 commissioner to negotiate the best terms and conditions regarding the use of
- 274 water in the Colorado River system; or
- 275 (D) give an advantage to another state or to the federal government in negotiations
- 276 regarding the use of water in the Colorado River system;
- 277 (f) a meeting of the General Regulatory Sandbox Program Advisory Committee if:
- 278 (i) the purpose of the meeting is to discuss an application for participation in the
- 279 regulatory sandbox as defined in Section 63N-16-102; and
- 280 (ii) failing to close the meeting would reveal the contents of a record classified as
- 281 protected under Subsection 63G-2-305(82); and
- 282 (g) a meeting of a project entity if:
- 283 (i) the purpose of the meeting is to conduct a strategy session to discuss market
- 284 conditions relevant to a business decision regarding the value of a project entity
- 285 asset if the terms of the business decision are publicly disclosed before the
- 286 decision is finalized and a public discussion would:
- 287 (A) disclose the appraisal or estimated value of the project entity asset under
- 288 consideration; or
- 289 (B) prevent the project entity from completing on the best possible terms a
- 290 contemplated transaction concerning the project entity asset;
- 291 (ii) the purpose of the meeting is to discuss a record, the disclosure of which could
- 292 cause commercial injury to, or confer a competitive advantage upon a potential or
- 293 actual competitor of, the project entity;
- 294 (iii) the purpose of the meeting is to discuss a business decision, the disclosure of
- 295 which could cause commercial injury to, or confer a competitive advantage upon a
- 296 potential or actual competitor of, the project entity; or
- 297 (iv) failing to close the meeting would prevent the project entity from getting the best
- 298 price on the market.
- 299 (3) In a closed meeting, a public body may not:
- 300 (a) interview a person applying to fill an elected position;

- (b) discuss filling a midterm vacancy or temporary absence governed by Title 20A, Chapter 1, Part 5, Candidate Vacancy and Vacancy and Temporary Absence in Elected Office; or
- (c) discuss the character, professional competence, or physical or mental health of the person whose name was submitted for consideration to fill a midterm vacancy or temporary absence governed by Title 20A, Chapter 1, Part 5, Candidate Vacancy and Vacancy and Temporary Absence in Elected Office.

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

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

- (1) An eligible entity may purchase, and each school district shall sell, surplus property as provided in this section.
- (2)(a) Upon declaring land to be surplus property, each school district shall give written notice to each eligible entity in which the surplus property is located.
- (b) Each notice under Subsection (2)(a) shall:
- (i) state that the school district has declared the land to be surplus property; and
  - (ii) describe the surplus property.
- (3) Subject to Subsection (4), an eligible entity may purchase the surplus property by paying the school district the purchase price.
- (4)(a) The legislative body of each eligible entity desiring to purchase surplus property under this section shall:
- (i) within 90 days after the eligible entity receives notice under Subsection (2), adopt a resolution declaring the intent to purchase the surplus property and deliver a copy of the resolution to the school district; and
  - (ii) within 90 days after delivering a copy of the resolution under Subsection (4)(a)(i) to the school district, deliver to the school district an earnest money offer to purchase the surplus property at the purchase price.
- (b) If an eligible entity fails to comply with either of the requirements under Subsection (4)(a) within the applicable time period, the eligible entity forfeits the right to purchase the surplus property.
- (5)(a) An eligible entity may waive [its] the eligible entity's right to purchase surplus property under this part by submitting a written waiver to the school district.
- (b) If an eligible entity submits a waiver under Subsection (5)(a), the school district has no further obligation under this part to sell the surplus property to the eligible entity.
- (6) Surplus property acquired by an eligible entity may not be used for any purpose other

than:

- (a) a county, city, or town hall;
- (b) a park or other open space;
- (c) a cultural center or community center;
- (d) a facility for the promotion, creation, or retention of public or private jobs within the state through planning, design, development, construction, rehabilitation, business relocation, or any combination of these, within a county, city, or town;
- (e) office, industrial, manufacturing, warehousing, distribution, parking, or other public or private facilities, or other improvements that benefit the state or a county, city, or town; [or]
- (f) a facility for a charter school under Chapter 5, Charter Schools[-] ; or
- (g) the sale, use, or lease for moderate income housing, as defined in Section 63L-12-101.

(7)(a) A school district that sells surplus property under this part may use proceeds from the sale only for bond debt reduction or school district capital facilities.

- (b) Each school district that sells surplus property under this part shall place all proceeds from the sale that are not used for bond debt reduction in a capital facilities fund of the school district for use for school district capital facilities.

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

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

(1)(a) There is created an independent body politic and corporate, constituting a public corporation, known as the "Utah Housing Corporation."

- (b) The corporation may also be known and do business as the:

- (i) Utah Housing Finance Association; and
- (ii) Utah Housing Finance Agency in connection with a contract entered into when that was the corporation's legal name.

- (c) No other entity may use the names described in Subsections (1)(a) and (b) without the express approval of the corporation.

(2) The corporation is governed by a board of trustees composed of the following nine trustees:

- (a) the executive director of the Department of Workforce Services or the executive director's designee;
- (b) the commissioner of the Department of Financial Institutions or the commissioner's

369           designee;

370           (c) the state treasurer or the treasurer's designee; and

371           (d) six public trustees, who are private citizens of the state, as follows:

372               (i) two people who represent the mortgage lending industry;

373               (ii) two people who represent the home building and real estate industry; and

374               (iii) two people who represent the public at large.

375       (3) The governor shall:

376           (a) appoint the six public trustees of the corporation with the advice and consent of the  
377               Senate in accordance with Title 63G, Chapter 24, Part 2, Vacancies; and

378           (b) ensure that[;]

379               [(i)] among the six public trustees[are from different counties] , no more than two  
380               are from the same county and all are residents of the state[; and] .

381               [(ii) ~~not more than three of the public trustees are members of the same political party.~~]

382       (4)(a) Except as required by Subsection (4)(b), the governor shall appoint the six public  
383               trustees to terms of office of four years each.

384           (b) Notwithstanding the requirements of Subsection (4)(a), the governor shall, at the  
385               time of appointment or reappointment, adjust the length of terms to ensure that the  
386               terms of corporation trustees are staggered so that approximately half of the board is  
387               appointed every two years.

388       (5)(a) A public trustee of the corporation may be removed from office for cause either  
389               by the governor or by an affirmative vote of six trustees of the corporation.

390           (b) When a vacancy occurs in the board of trustees for any reason, the replacement shall  
391               be appointed for the unexpired term.

392           (c) A public trustee shall hold office for the term of appointment and until the trustee's  
393               successor has been appointed and qualified.

394           (d) A public trustee is eligible for reappointment but may not serve more than two full  
395               consecutive terms.

396       (6)(a) The governor shall select the chair of the corporation.

397           (b) The trustees shall elect from among their number a vice chair and other officers they  
398               may determine.

399       (7)(a) Five trustees of the corporation constitute a quorum for transaction of business.

400           (b) An affirmative vote of at least five trustees is necessary for any action to be taken by  
401               the corporation.

402           (c) A vacancy in the board of trustees does not impair the right of a quorum to exercise

all rights and perform all duties of the corporation.

(8) A trustee may not receive compensation or benefits for the trustee's service, but may receive per diem and travel expenses in accordance with:

(a) Section 63A-3-106;

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

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

(9) A trustee shall, no sooner than January 1 and no later than January 31 of each year during which the trustee holds office on the board of trustees:

(a) prepare a written conflict of interest disclosure statement that contains a response to each item of information described in Subsection 20A-11-1604(6); and

(b) submit the written disclosure statement to the administrator or clerk of the board of trustees.

(10)(a) No later than 10 business days after the date on which the trustee submits the written disclosure statement described in Subsection (9) to the administrator or clerk of the board of trustees, the administrator or clerk shall:

(i) post a copy of the written disclosure statement on the corporation's website; and

(ii) provide the lieutenant governor with a link to the electronic posting described in Subsection (10)(a)(i).

(b) The administrator or clerk shall ensure that the trustee's written disclosure statement remains posted on the corporation's website until the trustee leaves office.

(11) The administrator or clerk of the board of trustees shall take the action described in Subsection (12) if:

(a) a trustee fails to timely file the written disclosure statement described in Subsection (9); or

(b) a submitted written disclosure statement does not comply with the requirements of Subsection 20A-11-1604(6).

(12) If a circumstance described in Subsection (11) occurs, the administrator or clerk of the board of trustees shall, within five days after the day on which the administrator or clerk determines that a violation occurred, notify the trustee of the violation and direct the trustee to submit an amended written disclosure statement correcting the problem.

(13)(a) It is unlawful for a trustee to fail to submit or amend a written disclosure statement within seven days after the day on which the trustee receives the notice described in Subsection (12).

(b) A trustee who violates Subsection (13)(a) is guilty of a class B misdemeanor.

(c) The administrator or clerk of the board of trustees shall report a violation of Subsection (13)(a) to the attorney general.

(d) In addition to the criminal penalty described in Subsection (13)(b), the administrator or clerk of the board of trustees shall impose a civil fine of \$100 against a member who violates Subsection (13)(a).

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

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

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

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

(1) Subsection 51-7-2(1)(p), regarding the Transportation Infrastructure General Fund Support Subfund, is repealed July 1, [2027] 2028.

(2) Title 51, Chapter 12, Utah Homes Investment Program, is repealed July 1, [2027] 2028.

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

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

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

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

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

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

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

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

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

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

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

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

471     ~~[(11)]~~ (8) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed July 1,  
472         2028.

473     ~~[(12)]~~ (9) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed July  
474         1, 2029.

475     ~~[(13) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1, 2026.]~~

476     ~~[(14)]~~ (10) Subsection 63J-1-602.2(16), related to the Communication Habits to reduce  
477         Adolescent Threats (CHAT) Pilot Program, is repealed July 1, 2029.

478     ~~[(15)]~~ (11) Subsection 63J-1-602.2(26), regarding the Utah Seismic Safety Commission, is  
479         repealed January 1, 2025.

480     ~~[(16)]~~ (12) Section 63L-11-204, Canyon resource management plan, is repealed July 1, 2025.

481     ~~[(17)]~~ (13) Title 63L, Chapter 11, Part 4, Resource Development Coordinating Committee,  
482         is repealed July 1, 2027.

483     ~~[(18)]~~ (14) Title 63M, Chapter 7, Part 7, Domestic Violence Offender Treatment Board, is  
484         repealed July 1, 2027.

485     ~~[(19)]~~ (15) Section 63M-7-902, Creation -- Membership -- Terms -- Vacancies -- Expenses,  
486         is repealed July 1, 2029.

487     ~~[(20)]~~ (16) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, 2026.

488     ~~[(21)]~~ (17) Title 63N, Chapter 1b, Part 4, Women in the Economy Subcommittee, is  
489         repealed January 1, 2030.

490     ~~[(22)]~~ (18) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2028.

491     ~~[(23)]~~ (19) Subsection 63N-2-511(1)(b), regarding the Board of Tourism Development, is  
492         repealed July 1, 2025.

493     ~~[(24)]~~ (20) Section 63N-2-512, Hotel Impact Mitigation Fund, is repealed July 1, 2028.

494     ~~[(25)]~~ (21) Title 63N, Chapter 3, Part 9, Strategic Innovation Grant Pilot Program, is  
495         repealed July 1, 2027.

496     ~~[(26)]~~ (22) Title 63N, Chapter 3, Part 11, Manufacturing Modernization Grant Program, is  
497         repealed July 1, 2025.

498     ~~[(27)]~~ (23) Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program, is repealed  
499         July 1, 2028.

500     ~~[(28)]~~ (24) Section 63N-4-804, which creates the Rural Opportunity Advisory Committee, is  
501         repealed July 1, 2027.

502     ~~[(29)]~~ (25) Subsection 63N-4-805(5)(b), regarding the Rural Employment Expansion  
503         Program, is repealed July 1, 2028.

504     ~~[(30)]~~ (26) Subsection 63N-7-101(1), regarding the Board of Tourism Development, is

repealed July 1, 2025.

~~[(31)]~~ (27) Subsection 63N-7-102(3)(c), regarding a requirement for the Utah Office of Tourism to receive approval from the Board of Tourism Development, is repealed July 1, 2025.

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

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

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

(1) Section 72-2-134, Transportation Infrastructure General Fund Support Subfund, is repealed July 1, ~~[2027]~~ 2028.

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

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

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

As used in this chapter:

(1) "Governmental entity" means:

- (a) an agency, as that term is defined in Section 63G-10-102;
- (b) the School and Institutional Trust Lands Administration created in Section 53C-1-201;
- (c) the School and Institutional Trust Lands Board of Trustees created in Section 53C-1-202; or
- (d) a political subdivision, as that term is defined in Section 63L-11-102.

(2) "Grant" means:

- (a) to convey, in whole or in part, with or without consideration; and
- (b) to contract or partner with an entity for the development of moderate income housing.

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

"Moderate income housing" means a dwelling that:

- (a) is offered for sale to an owner-occupier at a purchase price affordable to a household with a gross income of no more than 120% of the area median income for the county in which the residential unit is offered for sale and is deed restricted for no fewer than five years; or
- (b) offered for rent at a rental price affordable to a household with a gross income of no more than 80% of the area median income for the county in which the residential unit

is offered for rent.

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

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

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

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

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

(2) The subfund consists of:

(a) appropriations by the Legislature;

(b) interest earned on the subfund; and

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

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

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

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

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

(5) On June 30, [2027] 2028, the Division of Finance shall transfer any balance in the subfund into the Transportation Investment Fund of 2005.

Section 14. Section **72-5-117** is amended to read:

**72-5-117 . Rulemaking for sale of real property -- Licensed or certified appraisers -- Exceptions.**

(1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, if the department buys, sells, or exchanges real property, the department shall make rules to ensure that the value of the real property is congruent with the proposed price and other terms of the purchase, sale, or exchange.

(2) The rules:

(a) shall establish procedures for determining the value of the real property;

(b) may provide that an appraisal, as defined under Section 61-2g-102, demonstrates the real property's value;

(c) may require that the appraisal be completed by a state-certified general appraiser, as

defined under Section 61-2g-102; [and]

- (d) may provide for the sale or exchange of real property, with or without charge, to a large public transit district if the executive director enters into an agreement with the large public transit district and determines that the real property:
- (i) is within the boundaries of a station area that has a station area plan certified by a metropolitan planning organization in accordance with Section 10-9a-403.1;
  - (ii) is part of a transit-oriented development or transit-supportive development as defined in Section 17B-2a-802;
  - (iii) is adjacent to a completed fixed guideway capital development that was overseen by the department; or
  - (iv) will only be used by the large public transit district in a manner that the executive director determines will provide a benefit to the state transportation system[-] ; and
- (e) may provide for a sale of surplus real property to a state agency or an independent entity, as defined in Section 63E-1-102, that administers public interests in housing for a pre-entitlement appraised value the payment of which may be deferred until after the development of owner-occupied housing.
- (3) Subsection (1) does not apply to the purchase, sale, or exchange of real property, or to an interest in real property:
- (a) that is under a contract or other written agreement before May 5, 2008; or
  - (b) with a value of less than \$100,000, as estimated by the state agency.

**Section 15. Effective Date.**

This bill takes effect on July 1, 2025.

**Section 16. Coordinating H.B. 360 with H.B. 412.**

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