

COMMISSION ON HOUSING AFFORDABILITY**AMENDMENTS**

2022 GENERAL SESSION

STATE OF UTAH

LONG TITLE**General Description:**

This bill addresses the Commission on Housing Affordability within the Department of Workforce Services.

Highlighted Provisions:

This bill:

- ▶ establishes the Housing Affordability Subcommittee, formerly the Commission on Housing Affordability, as a permanent subcommittee of the Unified Economic Opportunity Commission within the Governor's Office of Economic Opportunity;
- ▶ modifies the membership and duties of the subcommittee; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

63I-1-235, as last amended by Laws of Utah 2021, Chapters 28 and 282

63N-1b-101, as enacted by Laws of Utah 2021, Chapter 282 and last amended by Coordination Clause, Laws of Utah 2021, Chapter 187

72-1-215, as enacted by Laws of Utah 2020, Chapter 268

RENUMBERS AND AMENDS:

63N-1b-401, (Renumbered from 35A-8-2202, as enacted by Laws of Utah 2018, Chapter 392)

63N-1b-402, (Renumbered from 35A-8-2203, as enacted by Laws of Utah 2018, Chapter 392)

32 REPEALS:

33 **35A-8-2201**, as last amended by Laws of Utah 2020, Chapter 268

34 **35A-8-2204**, as last amended by Laws of Utah 2020, Chapter 268

35

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

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

38 **63I-1-235. Repeal dates, Title 35A.**

39 (1) Subsection 35A-1-202(2)(d), related to the Child Care Advisory Committee, is
40 repealed July 1, 2026.

41 (2) Section 35A-3-205, which creates the Child Care Advisory Committee, is repealed
42 July 1, 2026.

43 (3) Subsection 35A-4-312(5)(p), describing information that may be disclosed to the
44 federal Wage and Hour Division, is repealed July 1, 2022.

45 (4) Subsection 35A-4-502(5), which creates the Employment Advisory Council, is
46 repealed July 1, 2022.

47 [~~(5)~~ Title 35A, Chapter 8, Part 22, Commission on Housing Affordability, is repealed
48 July 1, 2023.]

49 [~~(6)~~ (5) Section 35A-9-501 is repealed January 1, 2023.]

50 [~~(7)~~ (6) Title 35A, Chapter 11, Women in the Economy Commission Act, is repealed
51 January 1, 2025.]

52 [~~(8)~~ (7) Sections 35A-13-301 and 35A-13-302, which create the Governor's
53 Committee on Employment of People with Disabilities, are repealed July 1, 2023.]

54 [~~(9)~~ (8) Section 35A-13-303, which creates the State Rehabilitation Advisory Council,
55 is repealed July 1, 2024.]

56 [~~(10)~~ (9) Section 35A-13-404, which creates the advisory council for the Division of
57 Services for the Blind and Visually Impaired, is repealed July 1, 2025.]

58 [~~(11)~~ (10) Sections 35A-13-603 and 35A-13-604, which create the Interpreter
59 Certification Board, are repealed July 1, 2026.]

60 Section 2. Section **63N-1b-101** is amended to read:

61 **63N-1b-101. Definitions.**

62 As used in this chapter:

- 63 (1) "Apprenticeship program" means a program that:
- 64 (a) combines paid on-the-job learning with formal classroom instruction to prepare
- 65 students for careers; and
- 66 (b) includes:
- 67 (i) structured on-the-job learning for students under the supervision of a skilled
- 68 employee;
- 69 (ii) classroom instruction for students related to the on-the-job learning;
- 70 (iii) ongoing student assessments using established competency and skills standards;
- 71 and
- 72 (iv) the student receiving an industry-recognized credential or degree upon completion
- 73 of the program.
- 74 (2) "Career and technical education region" means an economic service area created in
- 75 Section 35A-2-101.
- 76 (3) "High quality professional learning" means the professional learning standards for
- 77 teachers and principals described in Section 53G-11-303.
- 78 (4) "Housing affordability" means the ability of a household to occupy a housing unit
- 79 paying no more than 30% of the household's income for gross housing costs, including utilities.
- 80 [~~(4)~~] (5) "Institution of higher education" means the University of Utah, Utah State
- 81 University, Southern Utah University, Weber State University, Snow College, Dixie State
- 82 University, Utah Valley University, or Salt Lake Community College.
- 83 [~~(5)~~] (6) "Local education agency" means a school district, a charter school, or the Utah
- 84 Schools for the Deaf and the Blind.
- 85 [~~(6)~~] (7) "Master plan" means the computer science education master plan described in
- 86 Section 63N-1b-304.
- 87 (8) "Moderate income housing unit" means a housing unit where a household whose
- 88 income is no more than 80% of the area median income is able to occupy the housing unit
- 89 paying no more than 30% of the household's income for gross housing costs, including utilities.
- 90 [~~(7)~~] (9) "Participating employer" means an employer that:
- 91 (a) partners with an educational institution on a curriculum for an apprenticeship
- 92 program or work-based learning program; and
- 93 (b) provides an apprenticeship or work-based learning program for students.

94 (10) "Replacement unit" means a moderate income housing unit that:
95 (a) is comparable in quality to a permanently vacated or destroyed moderate income
96 housing unit;
97 (b) meets state and local health and housing codes;
98 (c) is comparable to the permanently vacated or destroyed moderate income housing
99 unit in number of bedrooms and square footage; and
100 (d) is located, to the extent practicable, in the same political subdivision as the
101 permanently vacated or destroyed moderate income housing unit.

102 ~~[(8)]~~ (11) "State board" means the State Board of Education.

103 ~~[(9)]~~ (12) "Talent program" means the Talent Ready Utah Program created in Section
104 63N-1b-302.

105 ~~[(10)]~~ (13) "Talent subcommittee" means the Talent, Education, and Industry
106 Alignment Subcommittee created in Section 63N-1b-301.

107 ~~[(11)]~~ (14) "Technical college" means:

108 (a) the same as that term is defined in Section 53B-1-101.5; and

109 (b) a degree-granting institution acting in the degree-granting institution's technical
110 education role described in Section 53B-2a-201.

111 ~~[(12)]~~ (15) (a) "Work-based learning program" means a program that combines
112 structured and supervised learning activities with authentic work experiences and that is
113 implemented through industry and education partnerships.

114 (b) "Work-based learning program" includes the following objectives:

115 (i) providing students an applied workplace experience using knowledge and skills
116 attained in a program of study that includes an internship, externship, or work experience;

117 (ii) providing an educational institution with objective input from a participating
118 employer regarding the education requirements of the current workforce; and

119 (iii) providing funding for programs that are associated with high-wage, in-demand, or
120 emerging occupations.

121 ~~[(13)]~~ (16) "Workforce programs" means education or industry programs that facilitate
122 training the state's workforce to meet industry demand.

123 Section 3. Section **63N-1b-401**, which is renumbered from Section 35A-8-2202 is
124 renumbered and amended to read:

- 125 **Part 4. Housing Affordability Subcommittee**
- 126 ~~[35A-8-2202].~~ **63N-1b-401. Housing Affordability Subcommittee --**
- 127 **Creation -- Membership -- Expenses.**
- 128 ~~[(1) There is created within the department the Commission on Housing Affordability.]~~
- 129 (1) There is created a subcommittee of the commission called the Housing
- 130 Affordability Subcommittee.
- 131 (2) The ~~[commission]~~ subcommittee shall consist of ~~[20]~~ 21 members as follows:
- 132 (a) one senator appointed by the president of the Senate;
- 133 (b) two representatives appointed by the speaker of the House of Representatives;
- 134 (c) the executive director of the ~~[department]~~ Go Utah office or the executive director's
- 135 designee;
- 136 ~~[(d) the director of the division;]~~
- 137 ~~[(e) the executive director of the Governor's Office of Economic Opportunity or the~~
- 138 ~~executive director's designee;]~~
- 139 (d) the executive director of the Department of Workforce Services or the executive
- 140 director's designee;
- 141 (e) the director of the Housing and Community Development Division within the
- 142 Department of Workforce Services or the director's designee;
- 143 (f) the state homelessness coordinator appointed under Section 63J-4-202 or the state
- 144 homelessness coordinator's designee;
- 145 ~~[(f)]~~ (g) the president of the Utah Transit Authority or the president's designee;
- 146 ~~[(g)]~~ (h) the president of the Utah Housing Corporation or the president's designee; and
- 147 ~~[(h)]~~ (i) 12 members appointed by the ~~[governor]~~ chair of the commission as follows:
- 148 (i) one individual representing the land development community with experience and
- 149 expertise in affordable, subsidized multi-family development, recommended by the Utah
- 150 Homebuilders Association;
- 151 (ii) one individual representing the real estate industry, recommended by the Utah
- 152 Association of Realtors;
- 153 (iii) one individual representing the banking industry, recommended by the Utah
- 154 Bankers Association;
- 155 (iv) one individual representing public housing authorities, recommended by the

156 director of the [~~division~~] Housing and Community Development Division within the
157 Department of Workforce Services;

158 (v) two individuals representing municipal government, recommended by the Utah
159 League of Cities and Towns;

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

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

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

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

166 (viii) one individual representing a nonprofit organization that addresses issues related
167 to housing affordability;

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

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

172 (3) (a) When a vacancy occurs in a position appointed by the [~~governor~~] chair of the
173 commission under Subsection [~~(2)(h), the governor~~] (2)(i), the chair of the commission shall
174 appoint a person to fill the vacancy.

175 (b) Members appointed under Subsection [~~(2)(h)~~] (2)(i) may be removed by the
176 [~~governor~~] chair of the commission for cause.

177 (c) A member appointed under Subsection [~~(2)(h)~~] (2)(i) shall be removed from the
178 [~~commission~~] subcommittee and replaced by an appointee of the [~~governor~~] chair of the
179 commission if the member is absent for three consecutive meetings of the [~~commission~~]
180 subcommittee without being excused by a cochair of the [~~commission~~] subcommittee.

181 (d) A member serves until the member's successor is appointed.

182 (4) (a) The [~~commission~~] subcommittee shall select two members to serve as cochairs,
183 one of whom shall be a legislator.

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

186 (c) The cochairs shall call and hold meetings of the [~~commission~~] subcommittee at

187 least four times each year.

188 (d) One or more additional meetings may be called upon request by a majority of the
189 [~~commission's~~] subcommittee's members.

190 (5) (a) A majority of the members of the [~~commission~~] subcommittee constitutes a
191 quorum.

192 (b) The action of a majority of a quorum constitutes the action of the [~~commission~~]
193 subcommittee.

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

197 (i) Section 63A-3-106;

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

199 (iii) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
200 63A-3-107.

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

203 [~~(7) The division shall provide staff support to the commission.~~]

204 (7) Nothing in this section prohibits an individual who, on June 30, 2022, is a member
205 of the Commission on Housing Affordability within the Department of Workforce Services
206 from serving as a member of the Housing Affordability Subcommittee.

207 Section 4. Section **63N-1b-402**, which is renumbered from Section 35A-8-2203 is
208 renumbered and amended to read:

209 ~~[35A-8-2203].~~ **63N-1b-402. Housing Affordability Subcommittee duties**
210 **and powers.**

211 [~~(1) The commission's duties include:~~]

212 (1) The Housing Affordability Subcommittee shall:

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

216 (b) [~~identifying and recommending implementation of specific~~] provide
217 recommendations to the commission on strategies, policies, procedures, and programs to

218 address the housing affordability needs of the state;

219 (c) [~~facilitating~~] facilitate the communication and coordination of public and private
220 entities that are involved in developing, financing, providing, advocating for, and administering
221 [~~affordable~~] housing affordability in the state;

222 (d) [~~studying, evaluating, and reporting~~] study, evaluate, and report to the commission
223 on the status and effectiveness of policies, procedures, and programs that address housing
224 affordability in the state;

225 (e) [~~studying and evaluating~~] study and evaluate the policies, procedures, and programs
226 implemented by other states that address housing affordability;

227 (f) [~~providing~~] provide a forum for public comment on issues related to housing
228 affordability; [~~and~~]

229 [~~(g) providing recommendations to the governor and Legislature on strategies, policies,
230 procedures, and programs to address the housing affordability needs of the state.~~]

231 (g) in consultation with affected political subdivisions, provide recommendations to
232 the commission on how the state and other stakeholders should act to address the loss of
233 moderate income housing units in the state, including the moderate income housing units
234 permanently vacated or destroyed as identified in the report from the Department of
235 Transportation described in Section 72-1-215; and

236 (h) in consultation with affected political subdivisions, provide recommendations to
237 the commission on how the state and other stakeholders can support and encourage the new
238 construction or rehabilitation of replacement units.

239 (2) To accomplish [~~its~~] the subcommittee's duties, the [~~commission~~] subcommittee
240 may:

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

243 (i) reports;

244 (ii) audits;

245 (iii) projections; and

246 (iv) statistics; and

247 (b) appoint one or more advisory groups to advise and assist the [~~commission~~]
248 subcommittee.

249 (3) (a) A member of an advisory group described in Subsection (2)(b):
250 (i) shall be appointed by the [~~commission~~] subcommittee;
251 (ii) may be:
252 (A) a member of the [~~commission~~] subcommittee; or
253 (B) an individual from the private or public sector; and
254 (iii) notwithstanding Section [~~35A-8-2202~~] 63N-1b-401, may not receive
255 reimbursement or pay for any work done in relation to the advisory group.

256 (b) An advisory group described in Subsection (2)(b) shall report to the [~~commission~~]
257 subcommittee on the progress of the advisory group.

258 Section 5. Section **72-1-215** is amended to read:

259 **72-1-215. Affordable housing study.**

260 (1) As used in this section, "moderate income housing unit" means a housing unit that
261 has an appraised value that would allow, as estimated by the department, a household whose
262 income is no more than 80% of the area median income to occupy the housing unit paying no
263 more than 30% of the household's income for gross housing costs, including utilities.

264 (2) On or before September 15, the department shall provide a written report to the
265 Economic Development and Workforce Services Interim Committee and to the [~~Commission~~
266 ~~on Housing Affordability created in Section 35A-8-2201~~] Housing Affordability Subcommittee
267 created in Section 63N-1b-401 that describes:

268 (a) the total number of housing units that were permanently vacated or destroyed as a
269 result of department action in the previous fiscal year, including separate subtotals describing
270 the total number of housing units with one bedroom, two bedrooms, three bedrooms, and four
271 or more bedrooms, which were permanently vacated or destroyed as a result of department
272 action in the previous fiscal year; and

273 (b) the total number of moderate income housing units that were permanently vacated
274 or destroyed as a result of department action in the previous fiscal year, including separate
275 subtotals describing the total number of moderate income housing units with one bedroom, two
276 bedrooms, three bedrooms, and four or more bedrooms, which were permanently vacated or
277 destroyed as a result of department action in the previous fiscal year.

278 Section 6. **Repealer.**

279 This bill repeals:

- 280 Section **35A-8-2201, Definitions.**
- 281 Section **35A-8-2204, Annual report.**
- 282 Section 7. **Effective date.**
- 283 This bill takes effect July 1, 2022.