

HB0055S01 compared with HB0055

~~text~~ shows text that was in HB0055 but was deleted in HB0055S01.

text shows text that was not in HB0055 but was inserted into HB0055S01.

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

Representative Edward H. Redd proposes the following substitute bill:

REPEAL OF METHAMPHETAMINE HOUSING RECONSTRUCTION AND REHABILITATION ACCOUNT

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Edward H. Redd

Senate Sponsor: _____

LONG TITLE

General Description:

This bill repeals the Methamphetamine Housing Reconstruction and Rehabilitation Account Act.

Highlighted Provisions:

This bill:

- ▶ repeals the ~~text~~ Methamphetamine Housing Reconstruction and Rehabilitation Account Act and related provisions~~text~~; and
- ▶ provides that funds remaining in the Methamphetamine Housing Reconstruction and Rehabilitation Account on June 30, 2015, shall be deposited into the Olene Walker Housing Loan Fund.

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Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

~~{REPEALS:~~

~~———— 35A-8-1101, as renumbered and amended by Laws of Utah 2012, Chapter 212~~

~~———— 35A-8-1102, as renumbered and amended by Laws of Utah 2012, Chapter~~

~~212} AMENDS:~~

~~35A-8-1103, as renumbered and amended by Laws of Utah 2012, Chapter 212~~

ENACTS:

63I-2-235, Utah Code Annotated 1953

REPEALS:

59-10-1314, as last amended by Laws of Utah 2012, Chapter 212

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

Section 1. ~~{Repealer:~~

~~———— This bill repeals:~~

~~———— Section 35A-8-1101, Title:~~

~~———— Section 35A-8-1102, Definitions:~~

~~———— } Section 35A-8-1103 {,} is amended to read:~~

35A-8-1103. Methamphetamine Housing Reconstruction and Rehabilitation

Account -- Creation -- Interest -- Use of contributions and interest.

(1) There is created within the General Fund a restricted account known as the Methamphetamine Housing Reconstruction and Rehabilitation Account.

(2) The account shall be funded by:

(a) contributions deposited into the account in accordance with Section 59-10-1314;

and

(b) interest described in Subsection (3).

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

(b) Interest earned on the account shall be deposited into the account.

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(4) (a) [The] Except as provided in Subsection (7), the division shall distribute contributions and interest deposited into the account to one or more qualified housing organizations.

(b) (i) Subject to Subsection (4)(b)(ii), a qualified housing organization that receives a distribution from the division in accordance with Subsection (4)(a) shall expend the distribution to:

(A) reconstruct or rehabilitate one or more residences that are:

(I) sold to low-income persons selected by the qualified housing organization in accordance with any rules the division makes as authorized by this section; and

(II) financed with loans that are not subject to interest as determined by the qualified housing organization in accordance with any rules the division makes as authorized by this section; or

(B) purchase property upon which a residence described in Subsection (4)(b)(i)(A) is reconstructed or rehabilitated.

(ii) A qualified housing organization may not expend a distribution the qualified housing organization receives in accordance with this Subsection (4) for any administrative cost relating to an expenditure authorized by Subsection (4)(b)(i).

(5) (a) In accordance with any rules the division makes as authorized under Subsection (6)(c), a qualified housing organization may apply to the division to receive a distribution under Subsection (4).

(b) A qualified housing organization may apply to the division to receive a distribution under Subsection (4) by filing an application with the division:

(i) on or before November 1; and

(ii) on a form provided by the division.

(c) The application:

(i) shall include information required by the division establishing that the qualified housing organization owns each residence with respect to which the qualified housing organization plans to expend a distribution under Subsection (4);

(ii) shall include information required by the division establishing the qualified housing organization's plan to expend the distribution for a purpose described in Subsection (4)(b)(i);

(iii) shall include information required by the division establishing that the qualified

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housing organization's plan to expend the distribution meets conditions established in accordance with Title 19, Chapter 6, Part 9, Illegal Drug Operations Site Reporting and Decontamination Act, for a local health department to remove the residence from the local health department's decontamination list; and

(iv) may include other information the division requires by rule.

(d) The division shall determine on or before the November 30 immediately following the November 1 described in Subsection (5)(b)(i) whether a qualified housing organization's application to the division meets the requirements of Subsection (5)(c).

(e) (i) The division shall distribute money credited to the account to each qualified housing organization that meets the requirements of Subsection (5)(c) as determined by the division:

(A) on or before the December 31 immediately following the November 1 described in Subsection (5)(b)(i); and

(B) in accordance with this Subsection (5)(e).

(ii) The division shall determine:

(A) the population of the county in which a qualified housing organization that meets the requirements of Subsection (5)(c) is headquartered; and

(B) the total population of all of the counties in which the qualified housing organizations that meet the requirements of Subsection (5)(c) are headquartered.

(iii) Except as provided in Subsection (5)(e)(iv), the division shall determine a qualified housing organization's distribution by making the following calculation:

(A) calculating a percentage determined by dividing the population of the county in which the qualified housing organization that meets the requirements of Subsection (5)(c) is headquartered by the population calculated under Subsection (5)(e)(ii)(B); and

(B) multiplying the percentage determined under Subsection (5)(e)(iii)(A) by the account balance.

(iv) If two or more qualified housing organizations that meet the requirements of Subsection (5)(c) as determined by the division are headquartered within one county, the division shall determine each qualified housing organization's distribution by:

(A) making the calculation required by Subsection (5)(e)(iii); and

(B) dividing the amount calculated under Subsection (5)(e)(iii) by the number of

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qualified housing organizations that meet the requirements of Subsection (5)(c) as determined by the division that are headquartered within the county.

(6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division may make rules:

(a) to define what constitutes:

(i) a low-income person;

(ii) a loan that is not subject to interest; and

(iii) an apartment or other rental unit;

(b) for determining the circumstances under which real property is appurtenant to a residence:

(c) prescribing information a qualified housing organization is required to include with an application under Subsection (5):

(d) for purposes of Subsection (5)(e), for determining the population of a county; and

(e) for determining the county in which a qualified housing organization is headquartered.

(7) Any contributions and interest remaining in the Methamphetamine Housing Reconstruction and Rehabilitation Account on June 30, 2015, shall be deposited into the Olene Walker Housing Loan Fund created in Section 35A-8-502 and may be used for any of the purposes described in Section 35A-8-505.

Section 2. Section **63I-2-235** is enacted to read:

63I-2-235. Repeal dates -- Title 35A.

Title 35A, Chapter 8, Part 11, Methamphetamine Housing Reconstruction and Rehabilitation Account Act, is repealed July 1, 2015.

Section 3. **Repealer.**

This bill repeals:

Section 59-10-1314, Contribution to Methamphetamine Housing Reconstruction and Rehabilitation Account.

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Legislative Review Note

~~as of 12-4-14 4:29 PM~~

~~Office of Legislative Research and General Counsel}~~