

House of Representatives State of Utah

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL P.O. BOX 145030 • SALT LAKE CITY, UTAH 84114-5030 • (801) 538-1029

February 13, 2019

Mr. Speaker,

The Economic Development and Workforce Services Committee recommends **H.B. 245**, COMMUNITY REINVESTMENT AGENCY REVISIONS, by Representative M. Winder, be replaced and reports a favorable recommendation on **1st Sub. H.B. 245**, COMMUNITY REINVESTMENT AGENCY REVISIONS with the following amendments:

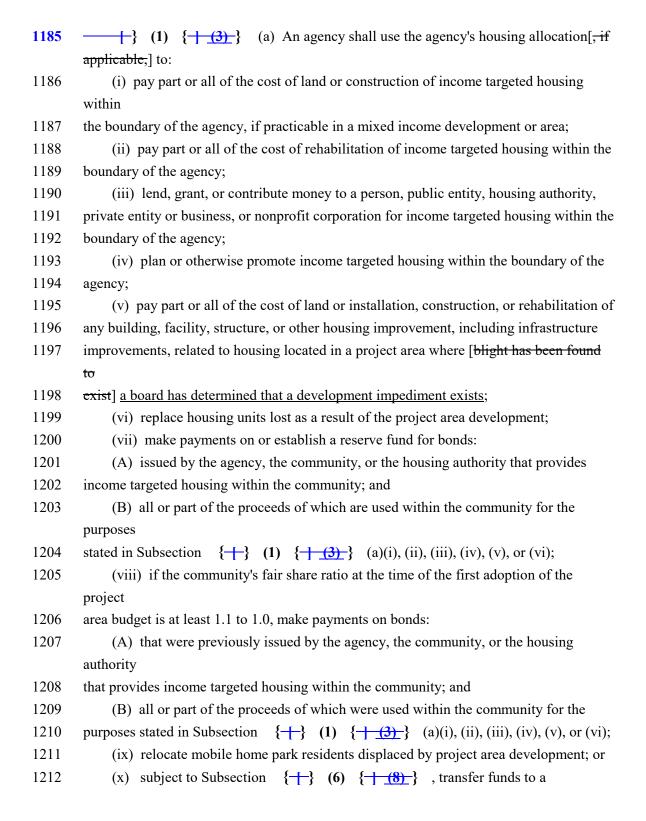
- 1. Page 38, Line 1172 through Page 41, Line 1255:
 - 1172 Section 12. Section 17C-1-412 is amended to read:
 - 1173 17C-1-412. Use of housing allocation -- Separate accounting required -- Issuance
 - of bonds for housing -- Action to compel agency to provide housing allocation.
 - 1175 {<u>(1) This section applies to an agency that allocates urban renewal project</u>
 area funds
 - 1176 <u>under Section 17C-2-203 or community reinvestment project area funds under Section</u>
 - 1177 <u>17C-5-307.</u>
 - 1178 <u>(2) (a) Except as provided in Subsection (2)(b), before using all or a portion of an</u>
 - 1179 <u>agency's housing allocation, the agency shall adopt a housing plan that shows how</u> the agency
 - 1180 <u>will use the agency's housing allocation to accomplish the purposes described in this section.</u>
 - 1181 <u>(b) An agency is not required to adopt a housing plan under Subsection (2)(a)</u>
 if the
 - 1182 <u>agency is implementing the moderate income housing element of the general plan</u> that the
 - 1183 community that created the agency adopted in accordance with Section 10-9a-403 or
 - 1184 17-27a-403.







Economic Development and Workforce Services Committee Report February 13, 2019 - Page 2



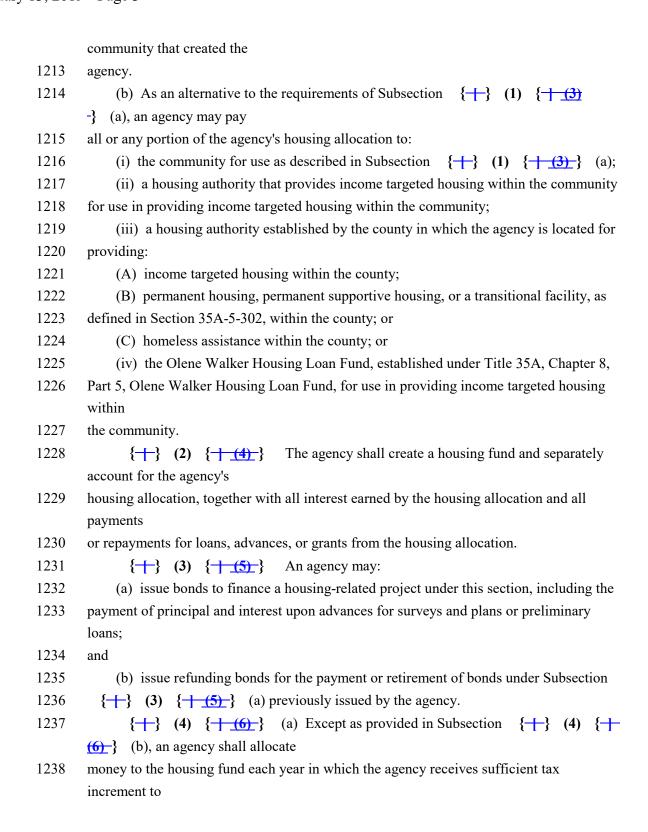






H.B. 245

Economic Development and Workforce Services Committee Report February 13, 2019 - Page 3









H.B. 245

Economic Development and Workforce Services Committee Report February 13, 2019 - Page 4

| 1239 | make a housing allocation required by the project area budget. |
|------|---|
| 1240 | (b) Subsection { (4) { (6) } (a) does not apply in a year in which tax |
| | increment is |
| 1241 | insufficient. |
| 1242 | {} (5) { |
| | (6) (b), if an agency fails to provide |
| 1243 | a housing allocation in accordance with the project area budget and[, if applicable,] the |
| | housing |
| 1244 | plan adopted under Subsection 17C-2-204(2), the loan fund board may bring legal action |
| | to |
| 1245 | compel the agency to provide the housing allocation. |
| 1246 | (b) In an action under Subsection {+} (5) {-\ (7)} (a), the court: |
| 1247 | (i) shall award the loan fund board reasonable attorney fees, unless the court finds |
| | that |
| 1248 | the action was frivolous; and |
| 1249 | (ii) may not award the agency the agency's attorney fees, unless the court finds that |
| | the |
| 1250 | action was frivolous. |
| 1251 | { (6) { (8)} For the purpose of offsetting the community's annual |
| | local contribution to the |
| 1252 | Homeless Shelter Cities Mitigation Restricted Account, the total amount an agency |
| | transfers in |
| 1253 | a calendar year to a community under Subsections $\{+\}$ (1) $\{-\}$ (a)(x), |
| | 17C-1-409(1)(a)(v), and |
| 1254 | 17C-1-411(1)(d) may not exceed the community's annual local contribution as defined in |
| 1255 | Section 35A-8-606. |
| | Respectfully, |
| | respectionly, |
| | Mike Winder |

Voting: 10-0-1 5 HB0245.HC1.wpd 2/13/19 7:0 pm jhumberstone/JH2 MC/MLB

Bill Number



Chair

