

Senator Jacob L. Anderegg proposes the following substitute bill:

UTAH HOUSING AFFORDABILITY AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jacob L. Anderegg

House Sponsor: _____

LONG TITLE

General Description:

This bill modifies provisions related to affordable housing and the provision of services related to affordable housing.

Highlighted Provisions:

This bill:

- ▶ modifies definitions;
- ▶ provides that a political subdivision may grant real property that will be used for affordable housing units;
- ▶ establishes requirements for a municipality related to inclusionary housing ordinances;
- ▶ describes additional activities that may receive funding from the Olene Walker Housing Loan Fund, including a mediation program and predevelopment grants;
- ▶ creates an affordable housing pilot program for school districts within the Housing and Community Development Division;
- ▶ modifies the responsibilities of the Automated Geographic Reference Center;
- ▶ modifies the Governor's Office of Economic Development's responsibilities in making rules related to housing needs when establishing requirements for a tax credit related to a new commercial project in a development zone; and



26 ▶ makes technical changes.

27 **Money Appropriated in this Bill:**

28 This bill appropriates in fiscal year 2021:

29 ▶ to the Education Budget Reserve Account as a one-time appropriation:

30 • from the Education Fund, (\$20,000,000); and

31 ▶ to the Department of Workforce Services -- Olene Walker Housing Loan Fund as a
32 one-time appropriation:

33 • from the Education Fund, \$20,000,000.

34 This bill appropriates in fiscal year 2022:

35 ▶ to the Department of Workforce Services -- Olene Walker Housing Loan Fund as an
36 ongoing appropriation:

37 • from the General Fund, \$800,000.

38 **Other Special Clauses:**

39 None

40 **Utah Code Sections Affected:**

41 AMENDS:

42 **10-9a-401**, as last amended by Laws of Utah 2019, Chapters 136 and 327

43 **10-9a-403**, as last amended by Laws of Utah 2020, Chapter 136

44 **10-9a-404**, as last amended by Laws of Utah 2020, Chapter 434

45 **10-9a-408**, as last amended by Laws of Utah 2020, Chapter 434

46 **17-27a-403**, as last amended by Laws of Utah 2020, Chapter 136

47 **35A-8-505**, as last amended by Laws of Utah 2020, Chapter 241

48 **63F-1-507**, as last amended by Laws of Utah 2019, Chapter 35

49 **63I-1-235**, as last amended by Laws of Utah 2020, Chapters 154 and 417

50 **63N-2-104**, as last amended by Laws of Utah 2018, Chapter 281

51 ENACTS:

52 **10-8-501**, Utah Code Annotated 1953

53 **10-8-601**, Utah Code Annotated 1953

54 **35A-8-507.5**, Utah Code Annotated 1953

55 **35A-8-514**, Utah Code Annotated 1953

56

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

58 Section 1. Section **10-8-501** is enacted to read:

59 **Part 5. Grants for Affordable Housing**

60 **10-8-501. Grant of real property for affordable housing.**

61 (1) As used in this part, "affordable housing unit" means a housing unit where a
62 household whose income is no more than 50% of the area median income for households
63 where the housing unit is located is able to occupy the housing unit paying no more than 31%
64 of the household's income for gross housing costs including utilities.

65 (2) Subject to the requirements of this section, and for a municipality, Subsection
66 10-8-2(4), a political subdivision may grant real property owned by the political subdivision to
67 an entity for the development of one or more affordable housing units on the real property that
68 will serve households at various income levels whereby at least 20% of the housing units are
69 affordable housing units.

70 (3) A political subdivision shall ensure that real property granted as described in
71 Subsection (2) is deed restricted for affordable housing for at least 30 years after the day on
72 which each affordable housing unit is completed and occupied.

73 (4) If applicable, a political subdivision granting real property under this section shall
74 comply with the provisions of Title 78B, Chapter 6, Part 5, Eminent Domain.

75 Section 2. Section **10-8-601** is enacted to read:

76 **Part 6. Inclusionary Housing**

77 **10-8-601. Inclusionary housing ordinances -- Inclusionary housing requirements.**

78 (1) As used in this part:

79 (a) "Affordable housing" means housing where a household whose income is no more
80 than 50% of the area median income for households where the housing is located is able to
81 occupy a housing unit paying no more than 31% of the household's income for gross housing
82 costs including utilities.

83 (b) "Inclusionary housing" means moderate-income housing units that are required by a
84 local ordinance to be created in a housing development based on the area median income for
85 households of the same size in which the municipality is located.

86 (c) "Inclusionary housing fund" means a fund to which a land use applicant may
87 contribute in lieu of building one or more moderate-income housing or affordable housing

88 units.

89 (d) "Low-income housing" means Section 42, Internal Revenue Code, housing.

90 (e) "Moderate-income housing" means housing occupied or reserved for occupancy by
91 households with a gross household income equal to or less than 80% of the area median
92 income for households of the same size in which the municipality is located.

93 (2) A municipality may establish inclusionary housing ordinances and other
94 incentive-based ordinances to promote the retention, preservation, or construction of
95 moderate-income housing or low-income housing.

96 (3) A municipality may not require inclusionary housing for more than 20% of the
97 housing units in a development.

98 (4) Before establishing an inclusionary housing ordinance, a municipality shall show a
99 need for moderate income housing as demonstrated in the municipality's moderate income
100 housing plan described in Section [10-9a-408](#).

101 (5) Before requiring inclusionary housing for a development, the municipality shall
102 demonstrate that the inclusionary housing requirement is:

103 (a) roughly proportional to the impact on housing affordability that will be created by
104 the development; and

105 (b) the minimum necessary to address the impact on housing affordability that will be
106 created by the development.

107 (6) A municipality may not require inclusionary housing on a lot that is approved for
108 development and for which a building permit has been issued before the inclusionary housing
109 requirement is instituted.

110 (7) If an inclusionary housing ordinance of a municipality requires a developer to
111 provide a specific number of moderate-income housing or low-income housing units in a
112 development, the municipality shall provide one or more methods to proportionately offset the
113 difference in cost between the moderate-income housing or low-income housing units and the
114 other units within the development, which methods may include:

115 (a) a waiver of impact or other fees;

116 (b) a moderate-income housing set aside from a community reinvestment agency,
117 redevelopment agency, or community development and renewal agency;

118 (c) parking requirement reductions;

- 119 (d) unit density bonuses; or
- 120 (e) other financial incentives.
- 121 (8) The inclusionary housing requirements described in this part do not apply to:
- 122 (a) a voluntary inclusionary housing program; or
- 123 (b) a municipality collecting a fee as a result of the demolition or termination of one or
- 124 more housing units.

125 Section 3. Section **10-9a-401** is amended to read:

126 **10-9a-401. General plan required -- Content.**

127 (1) In order to accomplish the purposes of this chapter, each municipality shall prepare

128 and adopt a comprehensive, long-range general plan for:

- 129 (a) present and future needs of the municipality; and
- 130 (b) growth and development of all or any part of the land within the municipality.

131 (2) The general plan may provide for:

132 (a) health, general welfare, safety, energy conservation, transportation, prosperity, civic

133 activities, aesthetics, and recreational, educational, and cultural opportunities;

134 (b) the reduction of the waste of physical, financial, or human resources that result

135 from either excessive congestion or excessive scattering of population;

136 (c) the efficient and economical use, conservation, and production of the supply of:

- 137 (i) food and water; and
- 138 (ii) drainage, sanitary, and other facilities and resources;

139 (d) the use of energy conservation and solar and renewable energy resources;

140 (e) the protection of urban development;

141 (f) if the municipality is a town, the protection or promotion of moderate income

142 housing;

143 (g) the protection and promotion of air quality;

144 (h) historic preservation;

145 (i) identifying future uses of land that are likely to require an expansion or significant

146 modification of services or facilities provided by each affected entity; and

147 (j) an official map.

148 (3) (a) The general plan of a municipality, other than a town, shall plan for moderate

149 income housing growth.

150 (b) On or before December 1, 2019, each of the following that have a general plan that
151 does not comply with Subsection (3)(a) shall amend the general plan to comply with
152 Subsection (3)(a):

- 153 (i) a city of the first, second, third, or fourth class;
- 154 (ii) a city of the fifth class with a population of 5,000 or more, if the city is located
155 within a county of the first, second, or third class; and
- 156 (iii) a metro township with a population of 5,000 or more.

157 (c) The population figures described in Subsections (3)(b)(ii) and (iii) shall be derived
158 from:

- 159 (i) the most recent official census or census estimate of the United States Census
160 Bureau; or
- 161 (ii) if a population figure is not available under Subsection (3)(c)(i), an estimate of the
162 Utah Population Committee.

163 (4) Subject to Subsection [10-9a-403](#)~~(f)(2)~~(3), the municipality may determine the
164 comprehensiveness, extent, and format of the general plan.

165 Section 4. Section **10-9a-403** is amended to read:

166 **10-9a-403. General plan preparation.**

167 (1) (a) As used in this section, "residential building design element" means for a
168 single-family residential building:

- 169 (i) exterior building color;
- 170 (ii) type or style of exterior cladding material;
- 171 (iii) style or materials of a roof structure, roof pitch, or porch;
- 172 (iv) exterior nonstructural architectural ornamentation;
- 173 (v) location, design, placement, or architectural styling of a window or door, including
174 a garage door;
- 175 (vi) the number or type of rooms;
- 176 (vii) the interior layout of a room; or
- 177 (viii) the minimum square footage of a structure.

178 (b) "Residential building design element" does not include for a single-family
179 residential building:

- 180 (i) the height, bulk, orientation, or location of a structure on a lot; or

181 (ii) buffering or screening used to:

182 (A) minimize visual impacts;

183 (B) mitigate the impacts of light or noise; or

184 (C) protect the privacy of neighbors.

185 (2) (a) The planning commission shall provide notice, as provided in Section

186 10-9a-203, of its intent to make a recommendation to the municipal legislative body for a

187 general plan or a comprehensive general plan amendment when the planning commission

188 initiates the process of preparing its recommendation.

189 (b) The planning commission shall make and recommend to the legislative body a
190 proposed general plan for the area within the municipality.

191 (c) The plan may include areas outside the boundaries of the municipality if, in the
192 planning commission's judgment, those areas are related to the planning of the municipality's
193 territory.

194 (d) Except as otherwise provided by law or with respect to a municipality's power of
195 eminent domain, when the plan of a municipality involves territory outside the boundaries of
196 the municipality, the municipality may not take action affecting that territory without the
197 concurrence of the county or other municipalities affected.

198 (3) (a) At a minimum, the proposed general plan, with the accompanying maps, charts,
199 and descriptive and explanatory matter, shall include the planning commission's
200 recommendations for the following plan elements:

201 (i) a land use element that:

202 (A) designates the long-term goals and the proposed extent, general distribution, and
203 location of land for housing for residents of various income levels, business, industry,
204 agriculture, recreation, education, public buildings and grounds, open space, and other
205 categories of public and private uses of land as appropriate; and

206 (B) may include a statement of the projections for and standards of population density
207 and building intensity recommended for the various land use categories covered by the plan;

208 (ii) a transportation and traffic circulation element that:

209 (A) provides the general location and extent of existing and proposed freeways, arterial
210 and collector streets, public transit, active transportation facilities, and other modes of
211 transportation that the planning commission considers appropriate;

212 (B) for a municipality that has access to a major transit investment corridor, addresses
213 the municipality's plan for residential and commercial development around major transit
214 investment corridors to maintain and improve the connections between housing, employment,
215 education, recreation, and commerce;

216 (C) for a municipality that does not have access to a major transit investment corridor,
217 addresses the municipality's plan for residential and commercial development in areas that will
218 maintain and improve the connections between housing, transportation, employment,
219 education, recreation, and commerce; and

220 (D) correlates with the population projections, the employment projections, and the
221 proposed land use element of the general plan; and

222 (iii) for a municipality described in Subsection 10-9a-401(3)(b), a plan that provides a
223 realistic opportunity to meet the need for additional moderate income housing.

224 (b) In drafting the moderate income housing element, the planning commission:

225 (i) shall consider the Legislature's determination that municipalities shall facilitate a
226 reasonable opportunity for a variety of housing, including moderate income housing:

227 (A) to meet the needs of people of various income levels living, working, or desiring to
228 live or work in the community; and

229 (B) to allow people with various incomes to benefit from and fully participate in all
230 aspects of neighborhood and community life;

231 (ii) for a town, may include, and for other municipalities, shall include, an analysis of
232 how the municipality will provide a realistic opportunity for the development of moderate
233 income housing within the next five years;

234 (iii) for a town, may include, and for other municipalities, shall include, a
235 recommendation to implement [~~three~~ four] or more of the following strategies:

236 (A) rezone for densities necessary to assure the production of moderate income
237 housing;

238 (B) facilitate the rehabilitation or expansion of infrastructure that will encourage the
239 construction of moderate income housing;

240 (C) facilitate the rehabilitation of existing uninhabitable housing stock into moderate
241 income housing;

242 (D) consider general fund subsidies or other sources of revenue to waive construction

- 243 related fees that are otherwise generally imposed by the city;
- 244 (E) create or allow for, and reduce regulations related to, accessory dwelling units in
245 residential zones;
- 246 (F) allow for higher density or moderate income residential development in
247 commercial and mixed-use zones, commercial centers, or employment centers;
- 248 (G) encourage higher density or moderate income residential development near major
249 transit investment corridors;
- 250 (H) eliminate or reduce parking requirements for residential development where a
251 resident is less likely to rely on the resident's own vehicle, such as residential development near
252 major transit investment corridors or senior living facilities;
- 253 (I) allow for single room occupancy developments;
- 254 (J) implement zoning incentives for low to moderate income units in new
255 developments;
- 256 (K) utilize strategies that preserve subsidized low to moderate income units on a
257 long-term basis;
- 258 (L) preserve existing moderate income housing;
- 259 (M) reduce impact fees, as defined in Section [11-36a-102](#), related to low and moderate
260 income housing;
- 261 (N) participate in a community land trust program for low or moderate income
262 housing;
- 263 (O) implement a mortgage assistance program for employees of the municipality or of
264 an employer that provides contracted services to the municipality;
- 265 (P) apply for or partner with an entity that applies for state or federal funds or tax
266 incentives to promote the construction of moderate income housing;
- 267 (Q) apply for or partner with an entity that applies for programs offered by the Utah
268 Housing Corporation within that agency's funding capacity;
- 269 (R) apply for or partner with an entity that applies for affordable housing programs
270 administered by the Department of Workforce Services;
- 271 (S) apply for or partner with an entity that applies for programs administered by an
272 association of governments established by an interlocal agreement under Title 11, Chapter 13,
273 Interlocal Cooperation Act;

274 (T) apply for or partner with an entity that applies for services provided by a public
275 housing authority to preserve and create moderate income housing;

276 (U) apply for or partner with an entity that applies for programs administered by a
277 metropolitan planning organization or other transportation agency that provides technical
278 planning assistance;

279 (V) utilize a moderate income housing set aside from a community reinvestment
280 agency, redevelopment agency, or community development and renewal agency;

281 (W) reduce residential building design elements; and

282 (X) any other program or strategy implemented by the municipality to address the
283 housing needs of residents of the municipality who earn less than 80% of the area median
284 income; and

285 (iv) ~~[in addition to the recommendations required under Subsection (3)(b)(iii);]~~ for a
286 municipality that is required to recommend the implementation of four strategies under
287 Subsection (3)(b)(iii) and that has a fixed guideway public transit station, shall include [a] at
288 least an additional fifth recommendation [to implement the strategies] that includes the
289 recommendation to implement the strategy described in Subsection (3)(b)(iii)(G) or (H).

290 (c) In drafting the land use element, the planning commission shall:

291 (i) identify and consider each agriculture protection area within the municipality; and

292 (ii) avoid proposing a use of land within an agriculture protection area that is
293 inconsistent with or detrimental to the use of the land for agriculture.

294 (d) In drafting the transportation and traffic circulation element, the planning
295 commission shall:

296 (i) consider the regional transportation plan developed by its region's metropolitan
297 planning organization, if the municipality is within the boundaries of a metropolitan planning
298 organization; or

299 (ii) consider the long-range transportation plan developed by the Department of
300 Transportation, if the municipality is not within the boundaries of a metropolitan planning
301 organization.

302 (4) The proposed general plan may include:

303 (a) an environmental element that addresses:

304 (i) the protection, conservation, development, and use of natural resources, including

305 the quality of air, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals,
306 and other natural resources; and

307 (ii) the reclamation of land, flood control, prevention and control of the pollution of
308 streams and other waters, regulation of the use of land on hillsides, stream channels and other
309 environmentally sensitive areas, the prevention, control, and correction of the erosion of soils,
310 protection of watersheds and wetlands, and the mapping of known geologic hazards;

311 (b) a public services and facilities element showing general plans for sewage, water,
312 waste disposal, drainage, public utilities, rights-of-way, easements, and facilities for them,
313 police and fire protection, and other public services;

314 (c) a rehabilitation, redevelopment, and conservation element consisting of plans and
315 programs for:

316 (i) historic preservation;

317 (ii) the diminution or elimination of a development impediment as defined in Section
318 [17C-1-102](#); and

319 (iii) redevelopment of land, including housing sites, business and industrial sites, and
320 public building sites;

321 (d) an economic element composed of appropriate studies and forecasts, as well as an
322 economic development plan, which may include review of existing and projected municipal
323 revenue and expenditures, revenue sources, identification of basic and secondary industry,
324 primary and secondary market areas, employment, and retail sales activity;

325 (e) recommendations for implementing all or any portion of the general plan, including
326 the use of land use ordinances, capital improvement plans, community development and
327 promotion, and any other appropriate action;

328 (f) provisions addressing any of the matters listed in Subsection [10-9a-401](#)(2) or (3);
329 and

330 (g) any other element the municipality considers appropriate.

331 Section 5. Section **10-9a-404** is amended to read:

332 **10-9a-404. Public hearing by planning commission on proposed general plan or**
333 **amendment -- Notice -- Revisions to general plan or amendment -- Adoption or rejection**
334 **by legislative body.**

335 (1) (a) After completing its recommendation for a proposed general plan, or proposal to

336 amend the general plan, the planning commission shall schedule and hold a public hearing on
337 the proposed plan or amendment.

338 (b) The planning commission shall provide notice of the public hearing, as required by
339 Section 10-9a-204.

340 (c) After the public hearing, the planning commission may modify the proposed
341 general plan or amendment.

342 (2) The planning commission shall forward the proposed general plan or amendment to
343 the legislative body.

344 (3) (a) The legislative body may adopt, reject, or make any revisions to the proposed
345 general plan or amendment that it considers appropriate.

346 (b) If the municipal legislative body rejects the proposed general plan or amendment, it
347 may provide suggestions to the planning commission for the planning commission's review and
348 recommendation.

349 (4) The legislative body shall adopt:

350 (a) a land use element as provided in Subsection 10-9a-403~~(2)~~(3)(a)(i);

351 (b) a transportation and traffic circulation element as provided in Subsection
352 10-9a-403~~(2)~~(3)(a)(ii); and

353 (c) for a municipality, other than a town, after considering the factors included in
354 Subsection 10-9a-403~~(2)(b)(ii)~~(3)(b)(iii), a plan to provide a realistic opportunity to meet the
355 need for additional moderate income housing within the next five years.

356 Section 6. Section 10-9a-408 is amended to read:

357 **10-9a-408. Reporting requirements and civil action regarding moderate income**
358 **housing element of general plan.**

359 (1) The legislative body of a municipality described in Subsection 10-9a-401(3)(b)
360 shall annually:

361 (a) review the moderate income housing plan element of the municipality's general
362 plan and implementation of that element of the general plan;

363 (b) prepare a report on the findings of the review described in Subsection (1)(a); and

364 (c) post the report described in Subsection (1)(b) on the municipality's website.

365 (2) The report described in Subsection (1) shall include:

366 (a) a revised estimate of the need for moderate income housing in the municipality for

367 the next five years;

368 (b) a description of progress made within the municipality to provide moderate income
369 housing, demonstrated by analyzing and publishing data on the number of housing units in the
370 municipality that are at or below:

371 (i) 80% of the adjusted median family income;

372 (ii) 50% of the adjusted median family income; and

373 (iii) 30% of the adjusted median family income;

374 (c) a description of any efforts made by the municipality to utilize a moderate income
375 housing set-aside from a community reinvestment agency, redevelopment agency, or
376 community development and renewal agency; and

377 (d) a description of how the municipality has implemented any of the recommendations
378 related to moderate income housing described in Subsection 10-9a-403~~(2)~~(3)(b)(iii).

379 (3) The legislative body of each municipality described in Subsection (1) shall send a
380 copy of the report under Subsection (1) to the Department of Workforce Services, the
381 association of governments in which the municipality is located, and, if located within the
382 boundaries of a metropolitan planning organization, the appropriate metropolitan planning
383 organization.

384 (4) In a civil action seeking enforcement or claiming a violation of this section or of
385 Subsection 10-9a-404(4)(c), a plaintiff may not recover damages but may be awarded only
386 injunctive or other equitable relief.

387 Section 7. Section 17-27a-403 is amended to read:

388 **17-27a-403. Plan preparation.**

389 (1) (a) The planning commission shall provide notice, as provided in Section
390 17-27a-203, of its intent to make a recommendation to the county legislative body for a general
391 plan or a comprehensive general plan amendment when the planning commission initiates the
392 process of preparing its recommendation.

393 (b) The planning commission shall make and recommend to the legislative body a
394 proposed general plan for:

395 (i) the unincorporated area within the county; or

396 (ii) if the planning commission is a planning commission for a mountainous planning
397 district, the mountainous planning district.

398 (c) (i) The plan may include planning for incorporated areas if, in the planning
399 commission's judgment, they are related to the planning of the unincorporated territory or of
400 the county as a whole.

401 (ii) Elements of the county plan that address incorporated areas are not an official plan
402 or part of a municipal plan for any municipality, unless it is recommended by the municipal
403 planning commission and adopted by the governing body of the municipality.

404 (iii) Notwithstanding Subsection (1)(c)(ii), if property is located in a mountainous
405 planning district, the plan for the mountainous planning district controls and precedes a
406 municipal plan, if any, to which the property would be subject.

407 (2) (a) At a minimum, the proposed general plan, with the accompanying maps, charts,
408 and descriptive and explanatory matter, shall include the planning commission's
409 recommendations for the following plan elements:

410 (i) a land use element that:

411 (A) designates the long-term goals and the proposed extent, general distribution, and
412 location of land for housing for residents of various income levels, business, industry,
413 agriculture, recreation, education, public buildings and grounds, open space, and other
414 categories of public and private uses of land as appropriate; and

415 (B) may include a statement of the projections for and standards of population density
416 and building intensity recommended for the various land use categories covered by the plan;

417 (ii) a transportation and traffic circulation element that:

418 (A) provides the general location and extent of existing and proposed freeways, arterial
419 and collector streets, public transit, active transportation facilities, and other modes of
420 transportation that the planning commission considers appropriate;

421 (B) addresses the county's plan for residential and commercial development around
422 major transit investment corridors to maintain and improve the connections between housing,
423 employment, education, recreation, and commerce; and

424 (C) correlates with the population projections, the employment projections, and the
425 proposed land use element of the general plan;

426 (iii) a plan for the development of additional moderate income housing within the
427 unincorporated area of the county or the mountainous planning district, and a plan to provide a
428 realistic opportunity to meet the need for additional moderate income housing; and

429 (iv) before May 1, 2017, a resource management plan detailing the findings, objectives,
430 and policies required by Subsection 17-27a-401(3).

431 (b) In drafting the moderate income housing element, the planning commission:

432 (i) shall consider the Legislature's determination that counties should facilitate a
433 reasonable opportunity for a variety of housing, including moderate income housing:

434 (A) to meet the needs of people of various income levels living, working, or desiring to
435 live or work in the community; and

436 (B) to allow people with various incomes to benefit from and fully participate in all
437 aspects of neighborhood and community life; and

438 (ii) shall include an analysis of how the county will provide a realistic opportunity for
439 the development of moderate income housing within the planning horizon, which may include
440 a recommendation to implement [~~three~~] four or more of the following strategies:

441 (A) rezone for densities necessary to assure the production of moderate income
442 housing;

443 (B) facilitate the rehabilitation or expansion of infrastructure that will encourage the
444 construction of moderate income housing;

445 (C) facilitate the rehabilitation of existing uninhabitable housing stock into moderate
446 income housing;

447 (D) consider county general fund subsidies or other sources of revenue to waive
448 construction related fees that are otherwise generally imposed by the county;

449 (E) create or allow for, and reduce regulations related to, accessory dwelling units in
450 residential zones;

451 (F) allow for higher density or moderate income residential development in
452 commercial and mixed-use zones, commercial centers, or employment centers;

453 (G) encourage higher density or moderate income residential development near major
454 transit investment corridors;

455 (H) eliminate or reduce parking requirements for residential development where a
456 resident is less likely to rely on the resident's own vehicle, such as residential development near
457 major transit investment corridors or senior living facilities;

458 (I) allow for single room occupancy developments;

459 (J) implement zoning incentives for low to moderate income units in new

- 460 developments;
- 461 (K) utilize strategies that preserve subsidized low to moderate income units on a
- 462 long-term basis;
- 463 (L) preserve existing moderate income housing;
- 464 (M) reduce impact fees, as defined in Section 11-36a-102, related to low and moderate
- 465 income housing;
- 466 (N) participate in a community land trust program for low or moderate income
- 467 housing;
- 468 (O) implement a mortgage assistance program for employees of the county or of an
- 469 employer that provides contracted services for the county;
- 470 (P) apply for or partner with an entity that applies for state or federal funds or tax
- 471 incentives to promote the construction of moderate income housing;
- 472 (Q) apply for or partner with an entity that applies for programs offered by the Utah
- 473 Housing Corporation within that agency's funding capacity;
- 474 (R) apply for or partner with an entity that applies for affordable housing programs
- 475 administered by the Department of Workforce Services;
- 476 (S) apply for or partner with an entity that applies for services provided by a public
- 477 housing authority to preserve and create moderate income housing;
- 478 (T) apply for or partner with an entity that applies for programs administered by a
- 479 metropolitan planning organization or other transportation agency that provides technical
- 480 planning assistance;
- 481 (U) utilize a moderate income housing set aside from a community reinvestment
- 482 agency, redevelopment agency, or community development and renewal agency;
- 483 (V) reduce residential building design elements as defined in Section 10-9a-403; and
- 484 (W) consider any other program or strategy implemented by the county to address the
- 485 housing needs of residents of the county who earn less than 80% of the area median income.
- 486 (c) In drafting the land use element, the planning commission shall:
- 487 (i) identify and consider each agriculture protection area within the unincorporated area
- 488 of the county or mountainous planning district; and
- 489 (ii) avoid proposing a use of land within an agriculture protection area that is
- 490 inconsistent with or detrimental to the use of the land for agriculture.

491 (d) In drafting the transportation and traffic circulation element, the planning
492 commission shall:

493 (i) consider the regional transportation plan developed by its region's metropolitan
494 planning organization, if the relevant areas of the county are within the boundaries of a
495 metropolitan planning organization; or

496 (ii) consider the long-range transportation plan developed by the Department of
497 Transportation, if the relevant areas of the county are not within the boundaries of a
498 metropolitan planning organization.

499 (3) The proposed general plan may include:

500 (a) an environmental element that addresses:

501 (i) to the extent not covered by the county's resource management plan, the protection,
502 conservation, development, and use of natural resources, including the quality of air, forests,
503 soils, rivers and other waters, harbors, fisheries, wildlife, minerals, and other natural resources;
504 and

505 (ii) the reclamation of land, flood control, prevention and control of the pollution of
506 streams and other waters, regulation of the use of land on hillsides, stream channels and other
507 environmentally sensitive areas, the prevention, control, and correction of the erosion of soils,
508 protection of watersheds and wetlands, and the mapping of known geologic hazards;

509 (b) a public services and facilities element showing general plans for sewage, water,
510 waste disposal, drainage, public utilities, rights-of-way, easements, and facilities for them,
511 police and fire protection, and other public services;

512 (c) a rehabilitation, redevelopment, and conservation element consisting of plans and
513 programs for:

514 (i) historic preservation;

515 (ii) the diminution or elimination of a development impediment as defined in Section
516 [17C-1-102](#); and

517 (iii) redevelopment of land, including housing sites, business and industrial sites, and
518 public building sites;

519 (d) an economic element composed of appropriate studies and forecasts, as well as an
520 economic development plan, which may include review of existing and projected county
521 revenue and expenditures, revenue sources, identification of basic and secondary industry,

522 primary and secondary market areas, employment, and retail sales activity;

523 (e) recommendations for implementing all or any portion of the general plan, including
524 the use of land use ordinances, capital improvement plans, community development and
525 promotion, and any other appropriate action;

526 (f) provisions addressing any of the matters listed in Subsection [17-27a-401\(2\)](#) or
527 (3)(a)(i); and

528 (g) any other element the county considers appropriate.

529 Section 8. Section **35A-8-505** is amended to read:

530 **35A-8-505. Activities authorized to receive fund money -- Powers of the executive**
531 **director.**

532 At the direction of the board, the executive director may:

533 (1) provide fund money to any of the following activities:

534 (a) the acquisition, rehabilitation, or new construction of low-income housing units;

535 (b) matching funds for social services projects directly related to providing housing for
536 special-need renters in assisted projects;

537 (c) the development and construction of accessible housing designed for low-income
538 persons;

539 (d) the construction or improvement of a shelter or transitional housing facility that
540 provides services intended to prevent or minimize homelessness among members of a specific
541 homeless subpopulation;

542 (e) the purchase of an existing facility to provide temporary or transitional housing for
543 the homeless in an area that does not require rezoning before providing such temporary or
544 transitional housing;

545 (f) the purchase of land that will be used as the site of low-income housing units;

546 (g) the preservation of existing affordable housing units for low-income persons; [~~and~~]

547 (h) the award of predevelopment grants in accordance with Section [35A-8-507.5](#);

548 (i) the creation or financial support of a mediation program for landlords and tenants

549 designed to minimize the loss of housing for low-income persons, which program may include:

550 (i) funding for the hiring or training of mediators;

551 (ii) connecting landlords and tenants with mediation services; and

552 (iii) providing a limited amount of gap funding to assist a tenant in making a good faith

553 payment towards attorney fees, damages, or other costs associated with eviction proceedings or
554 avoiding eviction proceedings;

555 ~~(h)~~ (j) other activities that will assist in minimizing homelessness or improving the
556 availability or quality of housing in the state for low-income persons; and

557 (k) subject to appropriations by the Legislature, or contributions by a participating local
558 school district, support of the Affordable Housing Pilot Program created in Section [35A-8-514](#);
559 and

560 (2) do any act necessary or convenient to the exercise of the powers granted by this part
561 or reasonably implied from those granted powers, including:

562 (a) making or executing contracts and other instruments necessary or convenient for
563 the performance of the executive director and board's duties and the exercise of the executive
564 director and board's powers and functions under this part, including contracts or agreements for
565 the servicing and originating of mortgage loans;

566 (b) procuring insurance against a loss in connection with property or other assets held
567 by the fund, including mortgage loans, in amounts and from insurers it considers desirable;

568 (c) entering into agreements with a department, agency, or instrumentality of the
569 United States or this state and with mortgagors and mortgage lenders for the purpose of
570 planning and regulating and providing for the financing and refinancing, purchase,
571 construction, reconstruction, rehabilitation, leasing, management, maintenance, operation, sale,
572 or other disposition of residential housing undertaken with the assistance of the department
573 under this part;

574 (d) proceeding with a foreclosure action, to own, lease, clear, reconstruct, rehabilitate,
575 repair, maintain, manage, operate, assign, encumber, sell, or otherwise dispose of real or
576 personal property obtained by the fund due to the default on a mortgage loan held by the fund
577 in preparation for disposition of the property, taking assignments of leases and rentals,
578 proceeding with foreclosure actions, and taking other actions necessary or incidental to the
579 performance of its duties; and

580 (e) selling, at a public or private sale, with public bidding, a mortgage or other
581 obligation held by the fund.

582 Section 9. Section **35A-8-507.5** is enacted to read:

583 **35A-8-507.5. Predevelopment grants.**

584 (1) The executive director under the direction of the board may:
585 (a) award one or more predevelopment grants to non-profit or for-profit entities in
586 preparation for the construction of low-income housing units;
587 (b) award a predevelopment grant in an amount of no more than \$50,000 per project;
588 (c) may only award a predevelopment grant in relation to a project in:
589 (i) a city of the fifth or sixth class, or a town, in a rural area of the state; or
590 (ii) any municipality or unincorporated area in a county of the fourth, fifth, or sixth
591 class.

592 (2) The executive director under the direction of the board shall award each
593 predevelopment grant in accordance with the provisions of this section and the provisions
594 related to grant applications, grant awards, and reporting requirements in this part.

595 (3) A predevelopment grant:
596 (a) may be used by a recipient for offsetting the predevelopment funds needed to
597 prepare for the construction of low-income housing units, including market studies, surveys,
598 environmental and impact studies, technical assistance, and preliminary architecture,
599 engineering, or legal work; and

600 (b) may not be used by a recipient for staff salaries of a grant recipient or construction
601 costs.

602 (4) The executive director under the direction of the board shall prioritize the awarding
603 of a predevelopment grant for a project in a county of the fifth or sixth class and where the
604 municipality or unincorporated area has underdeveloped infrastructure as demonstrated by at
605 least two of the following:

- 606 (a) limited or no availability of natural gas;
- 607 (b) limited or no availability of a sewer system;
- 608 (c) limited or no availability of broadband Internet;
- 609 (d) unpaved residential streets; or
- 610 (e) limited local construction professionals, vendors, or services.

611 Section 10. Section **35A-8-514** is enacted to read:

612 **35A-8-514. Affordable Housing Pilot Program.**

613 (1) As used in this section:

614 (a) "Pilot program" means the Affordable Housing Pilot Program created in Subsection

615 (2).

616 (b) "Participating employee" means an employee of a participating school district who
617 obtains housing as a participant in the pilot program.

618 (c) "Participating school district" means a local school district or charter school that is
619 approved by the division based on the financial requirements of Subsection (6) to participate in
620 the pilot program.

621 (2) There is created in the division the Affordable Housing Pilot Program to assist in
622 helping employees of one or more participating school districts to obtain affordable housing
623 and a pathway to home ownership.

624 (3) The pilot program shall consist of the following:

625 (a) in accordance with Title 63G, Chapter 6a, Utah Procurement Code, and with the
626 oversight of the division, a local school district or charter school that is approved by the
627 division to participate in the pilot program shall partner with a nonprofit entity selected by the
628 division at the commencement of the pilot program and the participating school district shall
629 make a contribution using money appropriated by the Legislature for the program to a fund
630 owned by the participating school district and managed by the nonprofit entity;

631 (b) money in the fund shall be used to pay a portion of the purchase price of a home for
632 each participating employee;

633 (c) the participating school district shall identify potential participating employees who
634 are employed by the participating school district;

635 (d) the nonprofit entity shall perform an analysis to choose each participating employee
636 based on criteria determined by the participating school district and the nonprofit entity;

637 (e) for each participating employee, the nonprofit entity shall determine an appropriate
638 and affordable monthly payment based on the participating employee's financial situation and
639 may assist in helping the participating employee find a suitable home;

640 (f) the nonprofit entity shall purchase a home for use by each participating employee
641 and secure third-party financing for a portion of the cost of the home;

642 (g) the participating employee's monthly payment for the home shall be based on the
643 participating employee's proportional ownership of the home and shall consist of three
644 elements:

645 (i) a portion of the payment will go to the third-party lender described in Subsection

646 (3)(f);
647 (ii) a portion will go to the nonprofit entity for operating expenses and repaying the
648 proportional amount of the home purchased by the nonprofit entity using money from the fund
649 owned by the participating school district; and
650 (iii) a portion may go towards a mandatory savings requirement as agreed to between
651 the participating employee and the nonprofit entity; and
652 (h) as a requirement of participating in the pilot program, a participating employee
653 shall enter into a written agreement with the nonprofit entity:
654 (i) committing to abide by the requirements of the pilot program; and
655 (ii) that describes the participating employee's right to, if the employee is not in
656 violation of the terms of the written agreement:
657 (A) purchase, sell, or refinance the home at any time during the duration of the written
658 agreement;
659 (B) receive the equity benefit of the participating employee's principal payments; and
660 (C) receive the participating employee's share of any appreciation of the home in
661 accordance with the terms of the written agreement.
662 (4) Before participating in the pilot program, a local school district or charter school
663 shall apply to the division, in a form approved by the division, to participate in the pilot
664 program, which application shall include:
665 (a) details of the local school district's proposed implementation of the pilot program;
666 and
667 (b) the written approval of the local school district or charter school's local school
668 board to participate in the pilot program.
669 (5) A local school district or charter school that is selected by the division to be a
670 participating school district shall agree to provide ongoing information or reporting to comply
671 with the annual reporting requirements of Subsection (8) as requested by:
672 (a) the division; and
673 (b) the participating school district's local school board.
674 (6) In selecting participating school districts and overseeing the pilot program, the
675 division shall ensure that:
676 (a) the total amount of the contribution described in Subsection (3)(a) for each

677 participating school district is not more than the lesser of:

678 (i) \$4,000,000; or

679 (ii) 10% of the participating school district's reserves; and

680 (b) the amount of the contribution described in Subsection (3)(a) for all participating

681 school districts combined is not more than \$20,000,000.

682 (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and
683 in accordance with the provisions of this section, the division may make rules regarding the:

684 (a) administration of the pilot program, including application requirements for local
685 school districts; and

686 (b) reporting requirements for each participating school district and the nonprofit entity
687 to satisfy the requirements of Subsection (8).

688 (8) (a) By October 1, the division, with the cooperation of each participating school
689 district and the nonprofit entity, shall provide an annual written report to the Economic
690 Development and Workforce Services Interim Committee.

691 (b) The annual report shall describe:

692 (i) the operations of the pilot program;

693 (ii) each local school district that is participating in the pilot program;

694 (iii) the number of employees participating in the pilot program;

695 (iv) recommendations regarding potential expansion, improvements, or modifications
696 to the pilot program; and

697 (v) the results of the annual audit described in Subsection (9).

698 (c) If the division determines that the pilot program is successful, and that other local
699 school districts and state governmental subdivisions would benefit from participation in the
700 pilot program, the annual report may recommend that the Legislature:

701 (i) increase the maximum contribution amount allowed under the pilot program; or

702 (ii) expand the pilot program to other political subdivisions of the state.

703 (9) By September 1, the state auditor shall conduct an annual audit of the pilot program
704 for the previous fiscal year and shall:

705 (a) report the results of the audit in writing to the division; and

706 (b) make the written audit report available to the division and to the public.

707 Section 11. Section **63F-1-507** is amended to read:

708 **63F-1-507. State Geographic Information Database.**

709 (1) There is created a State Geographic Information Database to be managed by the
710 center.

711 (2) The database shall:

712 (a) serve as the central reference for all information contained in any GIS database by
713 any state agency;

714 (b) serve as a clearing house and repository for all data layers required by multiple
715 users;

716 (c) serve as a standard format for geographic information acquired, purchased, or
717 produced by any state agency;

718 (d) include an accurate representation of all civil subdivision boundaries of the state;
719 and

720 (e) for each public highway, as defined in Section 72-1-102, in the state, include an
721 accurate representation of the highway's centerline, physical characteristics, and associated
722 street address ranges.

723 (3) The center shall, in coordination with municipalities, counties, emergency
724 communications centers, and the Department of Transportation:

725 (a) develop the information described in Subsection (2)(e); and

726 (b) update the information described in Subsection (2)(e) in a timely manner after a
727 county recorder records a final plat.

728 (4) The center, in coordination with county assessors and metropolitan planning
729 organizations:

730 (a) shall inventory existing housing units and their general characteristics within each
731 county of the first or second class to support infrastructure planning and economic
732 development in each of those counties; and

733 (b) may inventory existing housing units and their general characteristics within one or
734 more counties of the third, fourth, fifth, or sixth class to support infrastructure planning and
735 economic development in one or more of those counties.

736 [~~4~~] (5) Each state agency that acquires, purchases, or produces digital geographic
737 information data shall:

738 (a) inform the center of the existence of the data layers and their geographic extent;

739 (b) allow the center access to all data classified public; and

740 (c) comply with any database requirements established by the center.

741 ~~[(5)]~~ (6) At least annually, the State Tax Commission shall deliver to the center
742 information the State Tax Commission receives under Section [67-1a-6.5](#) relating to the creation
743 or modification of the boundaries of political subdivisions.

744 ~~[(6)]~~ (7) The boundary of a political subdivision within the State Geographic
745 Information Database is the official boundary of the political subdivision for purposes of
746 meeting the needs of the United States Bureau of the Census in identifying the boundary of the
747 political subdivision.

748 Section 12. Section **63I-1-235** is amended to read:

749 **63I-1-235. Repeal dates, Title 35A.**

750 (1) Subsection [35A-1-109](#)(4)(c), related to the Talent Ready Utah Board, is repealed
751 January 1, 2023.

752 (2) Subsection [35A-1-202](#)(2)(d), related to the Child Care Advisory Committee, is
753 repealed July 1, 2021.

754 (3) Section [35A-3-205](#), which creates the Child Care Advisory Committee, is repealed
755 July 1, 2021.

756 (4) Subsection [35A-4-312](#)(5)(p), describing information that may be disclosed to the
757 federal Wage and Hour Division, is repealed July 1, 2022.

758 (5) Subsection [35A-4-502](#)(5), which creates the Employment Advisory Council, is
759 repealed July 1, 2022.

760 (6) Section [35A-8-514](#), which creates the Affordable Housing Pilot Program, is
761 repealed July 1, 2024.

762 ~~[(6)]~~ (7) Title 35A, Chapter 8, Part 22, Commission on Housing Affordability, is
763 repealed July 1, 2023.

764 ~~[(7)]~~ (8) Section [35A-9-501](#) is repealed January 1, 2023.

765 ~~[(8)]~~ (9) Title 35A, Chapter 11, Women in the Economy Commission Act, is repealed
766 January 1, 2025.

767 ~~[(9)]~~ (10) Sections [35A-13-301](#) and [35A-13-302](#), which create the Governor's
768 Committee on Employment of People with Disabilities, are repealed July 1, 2023.

769 ~~[(10)]~~ (11) Section [35A-13-303](#), which creates the State Rehabilitation Advisory

770 Council, is repealed July 1, 2024.

771 [~~(11)~~] (12) Section 35A-13-404, which creates the advisory council for the Division of
772 Services for the Blind and Visually Impaired, is repealed July 1, 2025.

773 [~~(12)~~] (13) Sections 35A-13-603 and 35A-13-604, which create the Interpreter
774 Certification Board, are repealed July 1, 2026.

775 Section 13. Section 63N-2-104 is amended to read:

776 **63N-2-104. Creation of economic development zones -- Tax credits -- Assignment**
777 **of tax credit.**

778 (1) The office, with advice from the board, may create an economic development zone
779 in the state if the following requirements are satisfied:

780 (a) the area is zoned commercial, industrial, manufacturing, business park, research
781 park, or other appropriate business related use in a community-approved master plan;

782 (b) the request to create a development zone has first been approved by an appropriate
783 local government entity; and

784 (c) local incentives have been or will be committed to be provided within the area.

785 (2) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
786 the office shall make rules establishing the requirements for a business entity or local
787 government entity to qualify for a tax credit for a new commercial project in a development
788 zone under this part.

789 (b) The office shall ensure that the requirements described in Subsection (2)(a) include
790 the following:

791 (i) the new commercial project is within the development zone;

792 (ii) the new commercial project includes direct investment within the geographic
793 boundaries of the development zone;

794 (iii) the new commercial project brings new incremental jobs to Utah;

795 (iv) the new commercial project includes the creation of high paying jobs in the state,
796 significant capital investment in the state, or significant purchases from vendors, contractors, or
797 service providers in the state, or a combination of these three economic factors;

798 (v) the new commercial project generates new state revenues; [~~and~~]

799 (vi) a business entity, a local government entity, or a community reinvestment agency
800 to which a local government entity assigns a tax credit under this section meets the

801 requirements of Section [63N-2-105](#)^[7]; and

802 (vii) for a tax credit for a new commercial project that will be more than \$10,000,000,
803 the municipality or county where the commercial project is located and the business entity or
804 local government entity have an agreement to address, for existing residents and new residents,
805 the housing needs related to new incremental jobs created by the new commercial project.

806 (3) (a) The office, after consultation with the board, may enter into a written agreement
807 with a business entity or local government entity authorizing a tax credit to the business entity
808 or local government entity if the business entity or local government entity meets the
809 requirements described in this section.

810 (b) (i) With respect to a new commercial project, the office may authorize a tax credit
811 to a business entity or a local government entity, but not both.

812 (ii) In determining whether to authorize a tax credit with respect to a new commercial
813 project to a business entity or a local government entity, the office shall authorize the tax credit
814 in a manner that the office determines will result in providing the most effective incentive for
815 the new commercial project.

816 (c) (i) Except as provided in Subsection (3)(c)(ii), the office may not authorize or
817 commit to authorize a tax credit that exceeds:

818 (A) 50% of the new state revenues from the new commercial project in any given year;
819 or

820 (B) 30% of the new state revenues from the new commercial project over the lesser of
821 the life of a new commercial project or 20 years.

822 (ii) If the eligible business entity makes capital expenditures in the state of
823 \$1,500,000,000 or more associated with a new commercial project, the office may:

824 (A) authorize or commit to authorize a tax credit not exceeding 60% of new state
825 revenues over the lesser of the life of the project or 20 years, if the other requirements of this
826 part are met;

827 (B) establish the year that state revenues and incremental jobs baseline data are
828 measured for purposes of an incentive under this Subsection (3)(c)(ii); and

829 (C) offer an incentive under this Subsection (3)(c)(ii) or modify an existing incentive
830 previously granted under Subsection (3)(c)(i) that is based on the baseline measurements
831 described in Subsection (3)(c)(ii)(B), except that the incentive may not authorize or commit to

832 authorize a tax credit of more than 60% of new state revenues in any one year.

833 (d) (i) A local government entity may by resolution assign a tax credit authorized by
834 the office to a community reinvestment agency.

835 (ii) The local government entity shall provide a copy of the resolution described in
836 Subsection (3)(d)(i) to the office.

837 (iii) If a local government entity assigns a tax credit to a community reinvestment
838 agency, the written agreement described in Subsection (3)(a) shall:

839 (A) be between the office, the local government entity, and the community
840 reinvestment agency;

841 (B) establish the obligations of the local government entity and the community
842 reinvestment agency; and

843 (C) establish the extent to which any of the local government entity's obligations are
844 transferred to the community reinvestment agency.

845 (iv) If a local government entity assigns a tax credit to a community reinvestment
846 agency:

847 (A) the community reinvestment agency shall retain records as described in Subsection
848 (4)(d); and

849 (B) a tax credit certificate issued in accordance with Section [63N-2-105](#) shall list the
850 community reinvestment agency as the named applicant.

851 (4) The office shall ensure that the written agreement described in Subsection (3):

852 (a) specifies the requirements that the business entity or local government entity shall
853 meet to qualify for a tax credit under this part;

854 (b) specifies the maximum amount of tax credit that the business entity or local
855 government entity may be authorized for a taxable year and over the life of the new commercial
856 project;

857 (c) establishes the length of time the business entity or local government entity may
858 claim a tax credit;

859 (d) requires the business entity or local government entity to retain records supporting a
860 claim for a tax credit for at least four years after the business entity or local government entity
861 claims a tax credit under this part; and

862 (e) requires the business entity or local government entity to submit to audits for

863 verification of the tax credit claimed.

864 Section 14. **Appropriation.**

865 Subsection 14(a). **Fiscal Year 2021 Restricted Fund and Account Transfers.**

866 The following sums of money are appropriated for the fiscal year beginning July 1,
867 2020, and ending June 30, 2021. These are additions to amounts previously appropriated for
868 fiscal year 2021. The Legislature authorizes the State Division of Finance to transfer the
869 following amounts between the following funds or accounts as indicated. Expenditures and
870 outlays from the funds to which the money is transferred must be authorized by an
871 appropriation.

872 ITEM 1

873 To Education Budget Reserve Account
874 From Education Fund, One-time (\$20,000,000)
875 Schedule of Programs:
876 Education Budget Reserve Account (\$20,000,000)

877 Subsection 14(b). **Fiscal Year 2021 Appropriations.**

878 The following sums of money are appropriated for the fiscal year beginning July1,
879 2020, and ending June 30, 2021. These are additions to amounts previously appropriated for
880 fiscal year 2021. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
881 Act, the Legislature appropriates the following sums of money from the funds or accounts
882 indicated for the use and support of the government of the state of Utah.

883 ITEM 2

884 To Department of Workforce Services -- Olene Walker Housing Loan Fund
885 From Education Fund, One-time \$20,000,000
886 Schedule of Programs:
887 Olene Walker Housing Loan Fund \$20,000,000

888 Subsection 14(c). **Fiscal Year 2022 Appropriations.**

889 The following sums of money are appropriated for the fiscal year beginning July1,
890 2021, and ending June 30, 2022. These are additions to amounts previously appropriated for
891 fiscal year 2022. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
892 Act, the Legislature appropriates the following sums of money from the funds or accounts
893 indicated for the use and support of the government of the state of Utah.

894 ITEM 3

895 To Department of Worforce Services -- Olene Walker Housing Loan Fund

896 From Education Fund, One-time \$800,000

897 Schedule of Programs:

898 Olene Walker Housing Loan Fund: \$800,000

899 The Legislature intends that:

900 (1) up to \$20,000,000 of the appropriation in ITEM 2 be used for the Affordable

901 Housing Pilot Program created in Section [35A-8-514](#);

902 (2) up to \$300,000 of the appropriation in ITEM 3 be used for financing a mediation
903 program for landlords and tenants of low-income housing units;

904 (3) up to \$500,000 of the appropriation in ITEM 3 be used for financing
905 predevelopment grants in advance of the construction of low-income housing units;

906 (4) under Section [63J-1-603](#), appropriations under Subsection (1) not lapse at the close
907 of fiscal year 2021 or fiscal year 2022, and the use of any nonlapsing funds is limited to the
908 Affordable Housing Pilot Program created in Section [35A-8-514](#); and

909 (5) under Section [63J-1-603](#), appropriations under Subsections (2) and (3) not lapse at
910 the close of fiscal year 2022.