

1 **COMMISSION ON HOUSING AFFORDABILITY**

2 **AMENDMENTS**

3 2022 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Steve Waldrip**

6 Senate Sponsor: Jacob L. Anderegg

7

LONG TITLE

8 **Committee Note:**

9
10 The Economic Development and Workforce Services Interim Committee recommended
11 this bill.

12 Legislative Vote: 12 voting for 0 voting against 4 absent

13 **General Description:**

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

16 **Highlighted Provisions:**

17 This bill:

18 ▶ establishes the Housing Affordability Subcommittee, formerly the Commission on
19 Housing Affordability, as a permanent subcommittee of the Unified Economic
20 Opportunity Commission within the Governor's Office of Economic Opportunity;

21 ▶ modifies the membership and duties of the subcommittee; and

22 ▶ makes technical changes.

23 **Money Appropriated in this Bill:**

24 None

25 **Other Special Clauses:**

26 This bill provides a special effective date.

27 **Utah Code Sections Affected:**



28 AMENDS:

29 **63I-1-235**, as last amended by Laws of Utah 2021, Chapters 28 and 282

30 **63N-1b-101**, as enacted by Laws of Utah 2021, Chapter 282 and last amended by
31 Coordination Clause, Laws of Utah 2021, Chapter 187

32 **72-1-215**, as enacted by Laws of Utah 2020, Chapter 268

33 RENUMBERS AND AMENDS:

34 **63N-1b-401**, (Renumbered from 35A-8-2202, as enacted by Laws of Utah 2018,
35 Chapter 392)

36 **63N-1b-402**, (Renumbered from 35A-8-2203, as enacted by Laws of Utah 2018,
37 Chapter 392)

38 REPEALS:

39 **35A-8-2201**, as last amended by Laws of Utah 2020, Chapter 268

40 **35A-8-2204**, as last amended by Laws of Utah 2020, Chapter 268



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

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

44 **63I-1-235. Repeal dates, Title 35A.**

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46 repealed July 1, 2026.

47 (2) Section **35A-3-205**, which creates the Child Care Advisory Committee, is repealed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

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50 federal Wage and Hour Division, is repealed July 1, 2022.

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52 repealed July 1, 2022.

53 [~~(5) Title 35A, Chapter 8, Part 22, Commission on Housing Affordability, is repealed~~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

55 [~~(6)~~ (5) Section **35A-9-501** is repealed January 1, 2023.

56 [~~(7)~~ (6) Title 35A, Chapter 11, Women in the Economy Commission Act, is repealed
57 January 1, 2025.

58 [~~(8)~~ (7) Sections **35A-13-301** and **35A-13-302**, which create the Governor's

59 Committee on Employment of People with Disabilities, are repealed July 1, 2023.

60 ~~[(9)]~~ (8) Section 35A-13-303, which creates the State Rehabilitation Advisory Council,
61 is repealed July 1, 2024.

62 ~~[(10)]~~ (9) Section 35A-13-404, which creates the advisory council for the Division of
63 Services for the Blind and Visually Impaired, is repealed July 1, 2025.

64 ~~[(11)]~~ (10) Sections 35A-13-603 and 35A-13-604, which create the Interpreter
65 Certification Board, are repealed July 1, 2026.

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

67 **63N-1b-101. Definitions.**

68 As used in this chapter:

69 (1) "Apprenticeship program" means a program that:

70 (a) combines paid on-the-job learning with formal classroom instruction to prepare
71 students for careers; and

72 (b) includes:

73 (i) structured on-the-job learning for students under the supervision of a skilled
74 employee;

75 (ii) classroom instruction for students related to the on-the-job learning;

76 (iii) ongoing student assessments using established competency and skills standards;

77 and

78 (iv) the student receiving an industry-recognized credential or degree upon completion
79 of the program.

80 (2) "Career and technical education region" means an economic service area created in
81 Section 35A-2-101.

82 (3) "High quality professional learning" means the professional learning standards for
83 teachers and principals described in Section 53G-11-303.

84 (4) "Housing affordability" means the ability of a household to occupy a housing unit
85 paying no more than 30% of the household's income for gross housing costs, including utilities.

86 ~~[(4)]~~ (5) "Institution of higher education" means the University of Utah, Utah State
87 University, Southern Utah University, Weber State University, Snow College, Dixie State
88 University, Utah Valley University, or Salt Lake Community College.

89 ~~[(5)]~~ (6) "Local education agency" means a school district, a charter school, or the Utah

90 Schools for the Deaf and the Blind.

91 ~~[(6)]~~ (7) "Master plan" means the computer science education master plan described in
92 Section [63N-1b-304](#).

93 (8) "Moderate income housing unit" means a housing unit where a household whose
94 income is no more than 80% of the area median income is able to occupy the housing unit
95 paying no more than 30% of the household's income for gross housing costs, including utilities.

96 ~~[(7)]~~ (9) "Participating employer" means an employer that:

97 (a) partners with an educational institution on a curriculum for an apprenticeship
98 program or work-based learning program; and

99 (b) provides an apprenticeship or work-based learning program for students.

100 (10) "Replacement unit" means a moderate income housing unit that:

101 (a) is comparable in quality to a permanently vacated or destroyed moderate income
102 housing unit;

103 (b) meets state and local health and housing codes;

104 (c) is comparable to the permanently vacated or destroyed moderate income housing
105 unit in number of bedrooms and square footage; and

106 (d) is located, to the extent practicable, in the same political subdivision as the
107 permanently vacated or destroyed moderate income housing unit.

108 ~~[(8)]~~ (11) "State board" means the State Board of Education.

109 ~~[(9)]~~ (12) "Talent program" means the Talent Ready Utah Program created in Section
110 [63N-1b-302](#).

111 ~~[(10)]~~ (13) "Talent subcommittee" means the Talent, Education, and Industry
112 Alignment Subcommittee created in Section [63N-1b-301](#).

113 ~~[(11)]~~ (14) "Technical college" means:

114 (a) the same as that term is defined in Section [53B-1-101.5](#); and

115 (b) a degree-granting institution acting in the degree-granting institution's technical
116 education role described in Section [53B-2a-201](#).

117 ~~[(12)]~~ (15) (a) "Work-based learning program" means a program that combines
118 structured and supervised learning activities with authentic work experiences and that is
119 implemented through industry and education partnerships.

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

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

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

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

127 ~~[(13)]~~ (16) "Workforce programs" means education or industry programs that facilitate
 128 training the state's workforce to meet industry demand.

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

131 **Part 4. Housing Affordability Subcommittee**

132 ~~[35A-8-2202].~~ **63N-1b-401. Housing Affordability Subcommittee --**

133 **Creation -- Membership -- Expenses.**

134 ~~[(1) There is created within the department the Commission on Housing Affordability.]~~

135 (1) There is created a subcommittee of the commission called the Housing
 136 Affordability Subcommittee.

137 (2) The ~~[commission]~~ subcommittee shall consist of ~~[20]~~ 21 members as follows:

138 (a) one senator appointed by the president of the Senate;

139 (b) two representatives appointed by the speaker of the House of Representatives;

140 (c) the executive director of the ~~[department]~~ Go Utah office or the executive director's
 141 designee;

142 ~~[(d) the director of the division;]~~

143 ~~[(e) the executive director of the Governor's Office of Economic Opportunity or the~~
 144 ~~executive director's designee;]~~

145 (d) the executive director of the Department of Workforce Services or the executive
 146 director's designee;

147 (e) the director of the Housing and Community Development Division within the
 148 Department of Workforce Services or the director's designee;

149 (f) the state homelessness coordinator appointed under Section [63J-4-202](#) or the state
 150 homelessness coordinator's designee;

151 ~~[(f)]~~ (g) the president of the Utah Transit Authority or the president's designee;

152 ~~[(g)]~~ (h) the president of the Utah Housing Corporation or the president's designee; and

153 ~~[(h)]~~ (i) 12 members appointed by the ~~[governor]~~ chair of the commission as follows:

154 (i) one individual representing the land development community with experience and
155 expertise in affordable, subsidized multi-family development, recommended by the Utah
156 Homebuilders Association;

157 (ii) one individual representing the real estate industry, recommended by the Utah
158 Association of Realtors;

159 (iii) one individual representing the banking industry, recommended by the Utah
160 Bankers Association;

161 (iv) one individual representing public housing authorities, recommended by the
162 director of the ~~[division]~~ Housing and Community Development Division within the
163 Department of Workforce Services;

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

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

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

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

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

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

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

176 (x) one individual representing the Salt Lake Chamber, recommended by the Salt Lake
177 Chamber.

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

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

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

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

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

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

192 (c) The cochairs shall call and hold meetings of the ~~[commission]~~ subcommittee at
193 least four times each year.

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

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

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

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

203 (i) Section [63A-3-106](#);

204 (ii) Section [63A-3-107](#); and

205 (iii) rules made by the Division of Finance pursuant to Sections [63A-3-106](#) and
206 [63A-3-107](#).

207 (b) Compensation and expenses of a member who is a legislator are governed by
208 Section [36-2-2](#) and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

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

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

213 Section 4. Section **63N-1b-402**, which is renumbered from Section 35A-8-2203 is

214 renumbered and amended to read:

215 ~~[35A-8-2203].~~ 63N-1b-402. **Housing Affordability Subcommittee duties**
216 **and powers.**

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

218 (1) The Housing Affordability Subcommittee shall:

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

222 (b) ~~[identifying and recommending implementation of specific]~~ provide
223 recommendations to the commission on strategies, policies, procedures, and programs to
224 address the housing affordability needs of the state;

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

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

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

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

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

237 (g) in consultation with affected political subdivisions, provide recommendations to
238 the commission on how the state and other stakeholders should act to address the loss of
239 moderate income housing units in the state, including the moderate income housing units
240 permanently vacated or destroyed as identified in the report from the Department of
241 Transportation described in Section [72-1-215](#); and

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

245 (2) To accomplish [its] the subcommittee's duties, the [commission] subcommittee
 246 may:

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

249 (i) reports;

250 (ii) audits;

251 (iii) projections; and

252 (iv) statistics; and

253 (b) appoint one or more advisory groups to advise and assist the [commission]
 254 subcommittee.

255 (3) (a) A member of an advisory group described in Subsection (2)(b):

256 (i) shall be appointed by the [commission] subcommittee;

257 (ii) may be:

258 (A) a member of the [commission] subcommittee; or

259 (B) an individual from the private or public sector; and

260 (iii) notwithstanding Section [35A-8-2202] 63N-1b-401, may not receive
 261 reimbursement or pay for any work done in relation to the advisory group.

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

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

265 **72-1-215. Affordable housing study.**

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

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

274 (a) the total number of housing units that were permanently vacated or destroyed as a
 275 result of department action in the previous fiscal year, including separate subtotals describing

276 the total number of housing units with one bedroom, two bedrooms, three bedrooms, and four
277 or more bedrooms, which were permanently vacated or destroyed as a result of department
278 action in the previous fiscal year; and

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

284 Section 6. **Repealer.**

285 This bill repeals:

286 Section **35A-8-2201, Definitions.**

287 Section **35A-8-2204, Annual report.**

288 Section 7. **Effective date.**

289 This bill takes effect July 1, 2022.