

Senator Jacob L. Anderegg proposes the following substitute bill:

COMMISSION ON HOUSING AFFORDABILITY

AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Waldrip

Senate Sponsor: Jacob L. Anderegg

LONG TITLE

General Description:

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

Highlighted Provisions:

This bill:

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

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

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



26 **63N-1b-101** (Effective 07/01/22), as last amended by Laws of Utah 2022, Second
27 Special Session, Chapter 1

28 **72-1-215**, as enacted by Laws of Utah 2020, Chapter 268

29 RENUMBERS AND AMENDS:

30 **63N-1b-401**, (Renumbered from 35A-8-2202, as enacted by Laws of Utah 2018,
31 Chapter 392)

32 **63N-1b-402**, (Renumbered from 35A-8-2203, as enacted by Laws of Utah 2018,
33 Chapter 392)

34 REPEALS:

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

36 **35A-8-2204**, as last amended by Laws of Utah 2020, Chapter 268

37

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

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

40 **63I-1-235. Repeal dates, Title 35A.**

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42 repealed July 1, 2026.

43 (2) Section **35A-3-205**, which creates the Child Care Advisory Committee, is repealed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

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46 federal Wage and Hour Division, is repealed July 1, 2022.

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48 repealed July 1, 2022.

49 [~~(5) Title 35A, Chapter 8, Part 22, Commission on Housing Affordability, is repealed~~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

51 [~~(6)~~ (5) Section **35A-9-501** is repealed January 1, 2023.

52 [~~(7)~~ (6) Title 35A, Chapter 11, Women in the Economy Commission Act, is repealed
53 January 1, 2025.

54 [~~(8)~~ (7) Sections **35A-13-301** and **35A-13-302**, which create the Governor's
55 Committee on Employment of People with Disabilities, are repealed July 1, 2023.

56 [~~(9)~~ (8) Section **35A-13-303**, which creates the State Rehabilitation Advisory Council,

57 is repealed July 1, 2024.

58 [~~(10)~~] (9) Section 35A-13-404, which creates the advisory council for the Division of
59 Services for the Blind and Visually Impaired, is repealed July 1, 2025.

60 [~~(11)~~] (10) Sections 35A-13-603 and 35A-13-604, which create the Interpreter
61 Certification Board, are repealed July 1, 2026.

62 Section 2. Section 63N-1b-101 (Effective 07/01/22) is amended to read:

63 **63N-1b-101 (Effective 07/01/22). Definitions.**

64 As used in this chapter:

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

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

68 (b) includes:

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

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

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

73 and

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

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

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

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

82 [~~(4)~~] (5) "Institution of higher education" means the University of Utah, Utah State
83 University, Southern Utah University, Weber State University, Snow College, Utah Tech
84 University, Utah Valley University, or Salt Lake Community College.

85 [~~(5)~~] (6) "Local education agency" means a school district, a charter school, or the Utah
86 Schools for the Deaf and the Blind.

87 [~~(6)~~] (7) "Master plan" means the computer science education master plan described in

88 Section [63N-1b-304](#).

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

92 [~~7~~] (9) "Participating employer" means an employer that:

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

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

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

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

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

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

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

104 [~~8~~] (11) "State board" means the State Board of Education.

105 [~~9~~] (12) "Talent program" means the Talent Ready Utah Program created in Section
106 [63N-1b-302](#).

107 [~~10~~] (13) "Talent subcommittee" means the Talent, Education, and Industry
108 Alignment Subcommittee created in Section [63N-1b-301](#).

109 [~~11~~] (14) "Technical college" means:

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

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

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

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

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

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

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

123 ~~[(13)]~~ (16) "Workforce programs" means education or industry programs that facilitate
124 training the state's workforce to meet industry demand.

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

127 **Part 4. Housing Affordability Subcommittee**

128 ~~[35A-8-2202]~~. **63N-1b-401. Housing Affordability Subcommittee --**

129 **Creation -- Membership -- Expenses.**

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

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

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

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

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

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

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

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

141 (d) the executive director of the Department of Workforce Services or the executive
142 director's designee;

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

145 (f) the state homelessness coordinator appointed under Section 63J-4-202 or the state
146 homelessness coordinator's designee;

147 ~~[(f)]~~ (g) the [president] chair of the board of trustees of the Utah Transit Authority or
148 the [president's] chair's designee;

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

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

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

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

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

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

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

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

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

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

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

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

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

173 (x) one individual representing the Salt Lake Chamber, recommended by the Salt Lake
174 Chamber.

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

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

180 (c) A member appointed under Subsection ~~[(2)(h)]~~ (2)(i) shall be removed from the

181 ~~[commission]~~ subcommittee and replaced by an appointee of the ~~[governor]~~ chair of the
182 commission if the member is absent for three consecutive meetings of the ~~[commission]~~
183 subcommittee without being excused by a cochair of the ~~[commission]~~ subcommittee.

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

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

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

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

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

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

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

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

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

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

202 (iii) rules made by the Division of Finance pursuant to Sections [63A-3-106](#) and
203 [63A-3-107](#).

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

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

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

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

212 ~~[35A-8-2203].~~ 63N-1b-402. **Housing Affordability Subcommittee duties**
213 **and powers.**

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

215 (1) The Housing Affordability Subcommittee shall:

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

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

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

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

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

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

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

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

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

242 (2) To accomplish ~~[its]~~ the subcommittee's duties, the ~~[commission]~~ subcommittee

243 may:

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

- 246 (i) reports;
- 247 (ii) audits;
- 248 (iii) projections; and
- 249 (iv) statistics; and

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

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

- 253 (i) shall be appointed by the [commission] subcommittee;
- 254 (ii) may be:

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

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

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

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

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

262 **72-1-215. Affordable housing study.**

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

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

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

274 or more bedrooms, which were permanently vacated or destroyed as a result of department
275 action in the previous fiscal year; and

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

281 **Section 6. Repealer.**

282 This bill repeals:

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

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

285 **Section 7. Effective date.**

286 This bill takes effect July 1, 2022.