

HB0036S01 compared with HB0036

~~{deleted text}~~ shows text that was in HB0036 but was deleted in HB0036S01.

inserted text shows text that was not in HB0036 but was inserted into HB0036S01.

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

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

~~{Committee Note:~~

~~—————The Economic Development and Workforce Services Interim Committee recommended this bill.~~

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

~~{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

HB0036S01 compared with HB0036

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

63N-1b-101 (**Effective 07/01/22**), as ~~enacted~~ **last amended** by Laws of Utah ~~{2021,~~
~~Chapter 282 and last amended by Coordination Clause, Laws of Utah 2021, Chapter~~
~~187}~~ **2022, Second Special Session, Chapter 1**

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

RENUMBERS AND AMENDS:

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

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

REPEALS:

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

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

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

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

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

(1) Subsection 35A-1-202(2)(d), related to the Child Care Advisory Committee, is repealed July 1, 2026.

(2) Section 35A-3-205, which creates the Child Care Advisory Committee, is repealed July 1, 2026.

HB0036S01 compared with HB0036

(3) Subsection 35A-4-312(5)(p), describing information that may be disclosed to the federal Wage and Hour Division, is repealed July 1, 2022.

(4) Subsection 35A-4-502(5), which creates the Employment Advisory Council, is repealed July 1, 2022.

~~[(5) Title 35A, Chapter 8, Part 22, Commission on Housing Affordability, is repealed July 1, 2023.]~~

~~[(6) (5) Section 35A-9-501 is repealed January 1, 2023.]~~

~~[(7) (6) Title 35A, Chapter 11, Women in the Economy Commission Act, is repealed January 1, 2025.]~~

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

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

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

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

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

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

As used in this chapter:

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

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

(b) includes:

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

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

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

and

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

HB0036S01 compared with HB0036

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

HB0036S01 compared with HB0036

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

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

- (a) the same as that term is defined in Section 53B-1-101.5; and
- (b) a degree-granting institution acting in the degree-granting institution's technical education role described in Section 53B-2a-201.

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

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

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

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

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

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

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

Part 4. Housing Affordability Subcommittee

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

Creation -- Membership -- Expenses.

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

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

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

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

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

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

HB0036S01 compared with HB0036

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

HB0036S01 compared with HB0036

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

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

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

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

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

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

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

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

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

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

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

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

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

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

HB0036S01 compared with HB0036

(i) Section 63A-3-106;
(ii) Section 63A-3-107; and
(iii) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

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

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

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

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

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

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

(1) The Housing Affordability Subcommittee shall:

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

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

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

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

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

(f) ~~[providing]~~ provide a forum for public comment on issues related to housing

HB0036S01 compared with HB0036

affordability; ~~[and]~~

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

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

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

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

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

- (i) reports;
- (ii) audits;
- (iii) projections; and
- (iv) statistics; and

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

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

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

(ii) may be:

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

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

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

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

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

HB0036S01 compared with HB0036

72-1-215. Affordable housing study.

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

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

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

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

Section 6. **Repealer.**

This bill repeals:

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

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

Section 7. **Effective date.**

This bill takes effect July 1, 2022.