

**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:

- ▶ repeals the sunset date for the Commission on Housing Affordability (commission);
- ▶ modifies the membership and duties of the commission; and
- ▶ provides that the commission serves as a subcommittee of the Unified Economic

Opportunity Commission.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**35A-8-2202**, as enacted by Laws of Utah 2018, Chapter 392

**35A-8-2203**, as enacted by Laws of Utah 2018, Chapter 392



26 **63I-1-235**, as last amended by Laws of Utah 2021, Chapters 28 and 282

27 **63N-1b-102**, as enacted by Laws of Utah 2021, Chapter 282



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

30 Section 1. Section **35A-8-2202** is amended to read:

31 **35A-8-2202. Commission on Housing Affordability.**

32 (1) There is created within the department the Commission on Housing Affordability.

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

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

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

36 (c) the executive director of the department or the executive director's designee;

37 (d) the director of the division;

38 (e) the executive director of the Governor's Office of Economic Opportunity or the  
39 executive director's designee;

40 (f) the president of the Utah Transit Authority or the president's designee;

41 (g) the ~~[president]~~ chair of the board of trustees of the Utah Housing Corporation or the  
42 ~~[president's]~~ chair's designee; ~~[and]~~

43 (h) the state homelessness coordinator appointed under Section **63J-4-202** or the state  
44 homelessness coordinator's designee; and

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

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

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

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

53 (iv) one individual representing public housing authorities, recommended by the  
54 director of the division;

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

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

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

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

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

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

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

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

69 (3) (a) When a vacancy occurs in a position appointed by the governor under  
70 Subsection (2)(h), the governor shall appoint a person to fill the vacancy.

71 (b) Members appointed under Subsection (2)(h) may be removed by the governor for  
72 cause.

73 (c) A member appointed under Subsection (2)(h) shall be removed from the  
74 commission and replaced by an appointee of the governor if the member is absent for three  
75 consecutive meetings of the commission without being excused by a cochair of the  
76 commission.

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

78 (4) (a) The commission shall select two members to serve as cochairs, one of whom  
79 shall be a legislator.

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

82 (c) The cochairs shall call and hold meetings of the commission at least four times each  
83 year.

84 (d) One or more additional meetings may be called upon request by a majority of the  
85 commission's members.

86 (5) (a) A majority of the members of the commission constitutes a quorum.

87 (b) The action of a majority of a quorum constitutes the action of the commission.

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

91 (i) Section 63A-3-106;

92 (ii) Section 63A-3-107; and

93 (iii) rules made by the Division of Finance pursuant to Sections 63A-3-106 and  
94 63A-3-107.

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

97 (7) The division shall provide staff support to the commission.

98 Section 2. Section 35A-8-2203 is amended to read:

99 **35A-8-2203. Duties of the commission.**

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

101 (a) serve as a subcommittee of the Unified Economic Opportunity Commission and  
102 assist the Unified Economic Opportunity Commission in performing the Unified Economic  
103 Opportunity Commission's duties under Section 63N-1a-202;

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

107 ~~[(b)]~~ (c) ~~[identifying]~~ identify and ~~[recommending]~~ recommend implementation of  
108 specific strategies, policies, procedures, and programs to address the housing affordability  
109 needs of the state;

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

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

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

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

119 affordability; and

120 ~~[(g)]~~ (h) ~~[providing]~~ provide recommendations to the ~~[governor]~~ Unified Economic  
121 Opportunity Commission and Legislature on strategies, policies, procedures, and programs to  
122 address the housing affordability needs of the state.

123 (2) To accomplish its duties, the commission may:

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

126 (i) reports;

127 (ii) audits;

128 (iii) projections; and

129 (iv) statistics; and

130 (b) appoint one or more advisory groups to advise and assist the commission.

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

132 (i) shall be appointed by the commission;

133 (ii) may be:

134 (A) a member of the commission; or

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

136 (iii) notwithstanding Section 35A-8-2202, may not receive reimbursement or pay for  
137 any work done in relation to the advisory group.

138 (b) An advisory group described in Subsection (2)(b) shall report to the commission on  
139 the progress of the advisory group.

140 Section 3. Section 63I-1-235 is amended to read:

141 **63I-1-235. Repeal dates, Title 35A.**

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

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

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

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

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

152 [(6)] (5) Section 35A-9-501 is repealed January 1, 2023.

153 [(7)] (6) Title 35A, Chapter 11, Women in the Economy Commission Act, is repealed  
154 January 1, 2025.

155 [(8)] (7) Sections 35A-13-301 and 35A-13-302, which create the Governor's  
156 Committee on Employment of People with Disabilities, are repealed July 1, 2023.

157 [(9)] (8) Section 35A-13-303, which creates the State Rehabilitation Advisory Council,  
158 is repealed July 1, 2024.

159 [(10)] (9) Section 35A-13-404, which creates the advisory council for the Division of  
160 Services for the Blind and Visually Impaired, is repealed July 1, 2025.

161 [(11)] (10) Sections 35A-13-603 and 35A-13-604, which create the Interpreter  
162 Certification Board, are repealed July 1, 2026.

163 Section 4. Section 63N-1b-102 is amended to read:

164 **63N-1b-102. Subcommittees generally.**

165 (1) Each subcommittee created under this part or by the commission in accordance  
166 with this section serves under the direction of the commission and shall assist the commission  
167 in performing the commission's duties.

168 (2) In addition to the subcommittees created under this part, the commission may  
169 establish one or more subcommittees to assist and advise the commission on specified topics or  
170 issues relevant to the commission's duties, including:

- 171 (a) rural economic growth;
- 172 (b) sustainable community growth;
- 173 (c) small business and entrepreneurship;
- 174 (d) multicultural economic empowerment; and
- 175 (e) international relations, trade, and immigration.

176 (3) When establishing a subcommittee under Subsection (2), the commission shall:

177 (a) appoint members to the subcommittee that represent a range of views and expertise;

178 and

179 (b) adopt subcommittee procedures and directives.

180 (4) (a) A member of a subcommittee may not receive compensation or benefits for the

181 member's service, but may receive per diem and travel expenses in accordance with:

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

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

184 (iii) rules made by the Division of Finance under Sections [63A-3-106](#) and [63A-3-107](#).

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

188 (5) In addition to the subcommittees created under this part, the Commission on  
189 Housing Affordability created in Section [35A-8-2202](#) shall serve as a subcommittee of the  
190 commission and shall assist the commission in performing the commission's duties.