

AFFORDABLE HOUSING AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Rebecca P. Edwards

Senate Sponsor: Jacob L. Anderegg

LONG TITLE

General Description:

This bill creates a commission in the Department of Workforce Services.

Highlighted Provisions:

This bill:

- ▶ defines terms;
 - ▶ creates the Commission on Housing Affordability in the Department of Workforce Services;
 - ▶ describes the membership, duties, and reporting requirements of the commission;
- and
- ▶ provides a sunset date.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63I-1-235, as last amended by Laws of Utah 2017, Chapters 128 and 469

ENACTS:

35A-8-2101, Utah Code Annotated 1953

35A-8-2102, Utah Code Annotated 1953

35A-8-2103, Utah Code Annotated 1953

35A-8-2104, Utah Code Annotated 1953

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

Section 1. Section **35A-8-2101** is enacted to read:

Part 21. Commission on Housing Affordability

35A-8-2101. Definitions.

As used in this part:

(1) "Commission" means the Commission on Housing Affordability created in Section [35A-8-2102](#).

(2) "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.

Section 2. Section **35A-8-2102** is enacted to read:

35A-8-2102. Commission on Housing Affordability.

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

(2) The commission shall consist of 20 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 or the executive director's designee;

(d) the director of the division;

(e) the executive director of the Governor's Office of Economic Development or the executive director's designee;

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

(g) the president of the Utah Housing Corporation or the president's designee; and

(h) 12 members appointed by the governor 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;

- 58 (iii) one individual representing the banking industry, recommended by the Utah
59 Bankers Association;
- 60 (iv) one individual representing public housing authorities, recommended by the
61 director of the division;
- 62 (v) two individuals representing municipal government, recommended by the Utah
63 League of Cities and Towns;
- 64 (vi) one individual representing redevelopment agencies and community reinvestment
65 agencies, recommended by the Utah Redevelopment Association;
- 66 (vii) two individuals representing county government, recommended by the Utah
67 Association of Counties, where:
- 68 (A) one of the individuals is from a county of the first class; and
69 (B) one of the individuals is from a county of the third, fourth, fifth, or sixth class;
- 70 (viii) one individual representing a nonprofit organization that addresses issues related
71 to housing affordability;
- 72 (ix) one individual with expertise on housing affordability issues in rural communities;
73 and
- 74 (x) one individual representing the Salt Lake Chamber, recommended by the Salt Lake
75 Chamber.
- 76 (3) (a) When a vacancy occurs in a position appointed by the governor under
77 Subsection (2)(h), the governor shall appoint a person to fill the vacancy.
- 78 (b) Members appointed under Subsection (2)(h) may be removed by the governor for
79 cause.
- 80 (c) A member appointed under Subsection (2)(h) shall be removed from the
81 commission and replaced by an appointee of the governor if the member is absent for three
82 consecutive meetings of the commission without being excused by a cochair of the
83 commission.
- 84 (d) A member serves until the member's successor is appointed.
- 85 (4) (a) The commission shall select two members to serve as cochairs, one of whom

86 shall be a legislator.

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

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

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

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

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

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

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

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

100 (iii) rules made by the Division of Finance pursuant to Sections [63A-3-106](#) and
101 [63A-3-107](#).

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

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

105 Section 3. Section **35A-8-2103** is enacted to read:

106 **35A-8-2103. Duties of the commission.**

107 (1) The commission's duties include:

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

111 (b) identifying and recommending implementation of specific strategies, policies,
112 procedures, and programs to address the housing affordability needs of the state;

113 (c) facilitating the communication and coordination of public and private entities that

114 are involved in developing, financing, providing, advocating for, and administering affordable
115 housing in the state;

116 (d) studying, evaluating, and reporting on the status and effectiveness of policies,
117 procedures, and programs that address housing affordability in the state;

118 (e) studying and evaluating the policies, procedures, and programs implemented by
119 other states that address housing affordability;

120 (f) providing a forum for public comment on issues related to housing affordability;
121 and

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

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

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

127 (i) reports;

128 (ii) audits;

129 (iii) projections; and

130 (iv) statistics; and

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

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

133 (i) shall be appointed by the commission;

134 (ii) may be:

135 (A) a member of the commission; or

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

137 (iii) notwithstanding Section 35A-8-2102, may not receive reimbursement or pay for
138 any work done in relation to the advisory group.

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

141 Section 4. Section **35A-8-2104** is enacted to read:

142 **35A-8-2104. Annual report.**

143 (1) The commission shall annually prepare a report for inclusion in the department's
144 annual written report described in Section [35A-1-109](#).

145 (2) The report described in Subsection (1) shall:

146 (a) describe how the commission fulfilled its statutory duties during the year; and

147 (b) contain recommendations on how the state should act to address issues relating to
148 housing affordability.

149 Section 5. Section **63I-1-235** is amended to read:

150 **63I-1-235. Repeal dates, Title 35A.**

151 (1) Subsection [35A-4-312](#)(5)(p) is repealed July 1, 2019.

152 (2) Title 35A, Chapter 8, Part 21, Commission on Housing Affordability, is repealed
153 July 1, 2023.