

SENATE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

April 4, 2023  
Date

Committee on Local Government & Housing.

After consideration on the merits, the Committee recommends the following:

HB23-1190 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend reengrossed bill, page 4, line 18, strike "FIVE" and substitute  
2 "FIFTEEN".
- 3 Page 4, line 19, strike "THREE" and substitute "FIVE".
- 4 Page 8, after line 13 insert:  
  
5           (f) THE LOCAL GOVERNMENT MAY CREATE A RIGHT OF FIRST  
6 REFUSAL OPPORTUNITY EVALUATION RUBRIC BASED ON LOCAL HOUSING  
7 NEEDS TO DETERMINE WHEN IT MAY OR MAY NOT EXERCISE ITS RIGHT OF  
8 FIRST REFUSAL UNDER THIS PART 12. SUCH A RUBRIC MAY CONSIDER  
9 GEOGRAPHY, ACQUISITION COST, PROXIMITY TO AMENITIES, UNIT COUNT,  
10 AND OTHER LOCAL PRIORITIES. FOR QUALIFYING PROPERTIES THAT DO NOT  
11 ALIGN WITH THE LOCAL PRIORITIES IDENTIFIED IN THE RUBRIC, THE LOCAL  
12 GOVERNMENT SHOULD EXPEDITIOUSLY WAIVE ITS RIGHT OF FIRST REFUSAL  
13 TO SUCH QUALIFYING PROPERTIES."
- 14 Page 12, line 16, strike "FOURTEEN" and substitute "SEVEN".
- 15 Page 14, line 15, strike "THE" and substitute "EXCEPT AS OTHERWISE  
16 PROVIDED IN SUBSECTION (5)(b) OF THIS SECTION FOR ALLOWABLE  
17 TOLLING PERIODS, THE".
- 18 Page 14, line 15, strike "SIXTY" and substitute "THIRTY".
- 19 Page 14, lines 18 and 19, strike "ONE HUNDRED TWENTY CALENDAR  
20 DAYS" and substitute "SIXTY CALENDAR DAYS, TO THE EXTENT  
21 PRACTICABLE, AND NOT MORE THAN NINETY CALENDAR DAYS".

1 Page 15, strike lines 19 through 27.

2 Page 16, strike line 1.

3 Renumber succeeding subsection accordingly.

4 Page 17, after line 11 insert:

5 "(h) MADE TO A NOT-FOR-PROFIT MISSION-DRIVEN AFFORDABLE  
6 HOUSING PROVIDER WHO HAS PROVIDED NOTICE OF INTENT TO PURCHASE  
7 THE QUALIFYING PROPERTY, HAS A HISTORY OF DEVELOPING AFFORDABLE  
8 HOUSING, AND WHO COMMITS TO PROVIDING TO TENANTS A MAJORITY OF  
9 UNITS BELOW MARKET RATE;".

10 Reletter succeeding paragraphs accordingly.

11 Page 17, line 12, after "COMMON;" strike "OR".

12 Page 17, line 19, strike "SELLER." and substitute "SELLER; OR".

13 Page 17, after line 19 insert:

14 "(k) ANY QUALIFYING PROPERTIES FOR WHICH THE FIRST  
15 CERTIFICATE OF OCCUPANCY WAS ISSUED WITHIN THIRTY YEARS  
16 PRECEDING THE DATE OF A TRIGGERING EVENT.".

17 Page 22, after line 13 insert:

18 "**29-4-1206. Repeal of part.** THIS PART 12 IS REPEALED,  
19 EFFECTIVE AUGUST 1, 2028.".

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