

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

March 19, 2024
Date

Committee on Transportation, Housing & Local Government.

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

HB24-1308 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 5, line 14, strike "SERVED," and substitute
2 "SERVED; OPTIMIZES".
- 3 Page 5, line 15, strike "PROGRAM, THE FINANCIAL STABILITY".
- 4 Page 5, lines 16 and 17, strike "OF ORGANIZATIONS DELIVERING THESE
5 DEVELOPMENT PROJECTS AND RESIDENT SERVICES," and substitute
6 "PROGRAM; OPTIMIZES".
- 7 Page 5, line 18, strike "CREATED, AND" and substitute "CREATED;
8 OPTIMIZES".
- 9 Page 5, line 20, after "HOUSING;" insert "CONSIDERS THE IMPACT OF
10 AWARD TERMS ON THE FINANCIAL STABILITY OF THE ORGANIZATIONS
11 DELIVERING DEVELOPMENT PROJECTS AND RESIDENT SERVICES;".
- 12 Page 5, line 23, after "24-32-705.5," insert "**amend** (1)(b) and (1)(c);
13 and".
- 14 Page 5, line 24, strike "(1.3)" and substitute "(1)(d), (1.3),".
- 15 Page 5, line 26, strike "(1.3) FOR" and substitute "(1) Commencing in
16 2021 and every year thereafter, as part of the department's presentation to
17 its joint committees of reference at a hearing held pursuant to section
18 2-7-203 (2)(a) of the "State Measurement for Accountable, Responsive,
19 and Transparent (SMART) Government Act", in accordance with this
20 section, the division shall prepare a public report that specifies the total
21 amount of money that:

1 (b) The division or the board has awarded from any federal, state,
2 other public, or any private source during the prior fiscal year in the form
3 of a grant, contract, or loan to promote the preservation or production of
4 emergency or affordable housing; and

5 (c) The division expended during the prior fiscal year on
6 administrative costs associated with each funding source identified in
7 subsection (1)(a) of this section and the number of full-time employees
8 supported by the funding source identified; AND

9 (d) THE DIVISION USES OF EXISTING STATE AND FEDERAL FUNDS TO
10 PROVIDE THE BEST USE OF SUBSIDIES TO MAXIMIZE UNIT PRODUCTION
11 INCLUDING DEVELOPMENTS IN HIGH-NEED, DIFFICULT-TO-DEVELOP AREAS,
12 AND CONFIRMATION OF RULES AND PRACTICES THAT ENSURE
13 DEVELOPMENTS ARE NOT DISQUALIFIED FROM FURTHER SUPPORT FROM
14 THE DIVISION OR THE OFFICE OF ECONOMIC DEVELOPMENT BASED ON PRIOR
15 RECEIPT OF MONEY PURSUANT TO ARTICLE 32 OF TITLE 29.

16 (1.3) FOR".

17 Page 6, line 5, strike "PURPOSE OF APPLICATION," and substitute
18 "PROGRAM,".

19 Page 6, line 14, strike "APPLICATIONS;" and substitute "APPLICATIONS, BY
20 PROGRAM;".

21 Page 6, line 15, strike "APPLICATIONS" and substitute "APPLICATIONS, BY
22 PROGRAM,".

23 Page 7, line 9, strike "AND".

24 Page 7, line 13, strike "TRANSFERRED." and substitute "TRANSFERRED;".

25 Page 7, after line 13 insert:

26 "(VII) THE NUMBER OF CONTRACTS DRAFTED AND EXECUTED FOR
27 LOANS OR GRANTS FROM THE FUND AND THE NUMBER OF DAYS IT TOOK TO
28 EXECUTE EACH CONTRACT. IF THE AVERAGE NUMBER OF DAYS TO
29 EXECUTE CONTRACTS INCLUDED IN THE REPORT IS MORE THAN NINETY
30 DAYS, THE DIVISION SHALL INCLUDE AN EXPLANATION REGARDING THIS
31 AVERAGE AND A PLAN TO REDUCE THE AVERAGE TO NINETY DAYS OR LESS.

32 (VIII) THE AVERAGE NUMBER OF DAYS TO PRODUCE PRELIMINARY
33 VERSIONS OF CONTRACTS AFTER MONEY IN THE FUND IS AWARDED TO
34 RECIPIENTS. IF THE AVERAGE NUMBER OF DAYS TO PRODUCE PRELIMINARY
35 VERSIONS OF CONTRACTS INCLUDED IN THE REPORT IS MORE THAN THIRTY
36 DAYS, THE DIVISION SHALL INCLUDE AN EXPLANATION REGARDING THIS

1 AVERAGE AND A PLAN TO REDUCE THE AVERAGE TO THIRTY DAYS OR LESS.
2 (IX) THE AVERAGE NUMBER OF DAYS FOR RECIPIENTS TO RECEIVE
3 SIGNED CONTRACTS AFTER THE CONTRACTS ARE APPROVED AND TERMS
4 ARE FINALIZED BY THE DIVISION AND THE RECIPIENT. IF THE AVERAGE
5 NUMBER OF DAYS FOR RECIPIENTS TO RECEIVE SIGNED CONTRACTS AFTER
6 THE CONTRACTS ARE APPROVED AND TERMS ARE FINALIZED IS MORE THAN
7 TEN DAYS, THE DIVISION SHALL INCLUDE AN EXPLANATION REGARDING
8 THIS AVERAGE AND A PLAN TO REDUCE THE AVERAGE TO TEN DAYS OR
9 LESS."

10 Page 8, line 9, after "(2)(a);" add "AND".

11 Page 8, strike lines 10 through 12.

12 Renumber succeeding subparagraph.

13 Page 8, line 14, strike "HOUSING." and substitute "HOUSING
14 DEVELOPMENT."

15 Page 8, line 21, strike "ACCEPT" and substitute "RECEIVE".

16 Page 8, strike lines 23 through 25 and substitute "BASIS BUT NOT LESS
17 THAN ONCE PER MONTH. IF THE DIVISION HAS INSUFFICIENT REVENUE TO
18 PROVIDE FUNDING FOR ANY AFFORDABLE HOUSING PROGRAM IT RECEIVES
19 APPLICATIONS FOR, THE DIVISION SHALL POST NOTICE OF THIS ON THE
20 DIVISION'S WEBSITE. NOT LATER THAN TEN CALENDAR DAYS FROM THE
21 DATE THAT A".

22 Page 9, line 2, strike "NECESSARY;" and substitute "NECESSARY."

23 Page 9, strike lines 3 through 7.

24 Page 9, line 8, strike "(A)".

25 Page 9, line 16, after the period add "IF THE DIVISION IS UNABLE TO SEND
26 AN APPLICATION TO THE BOARD WITHIN FORTY-FIVE DAYS, THE DIVISION
27 SHALL NOTIFY THE APPLICANT OF THE DELAY WITH AN EXPLANATION FOR
28 THE DELAY AND THE DATE THAT THE DIVISION WILL SEND THE
29 APPLICATION TO THE BOARD."

30 Page 9, line 17, strike "(B)" and substitute "(II)" and strike "AN".

31 Page 9, strike lines 18 and 19 and substitute "COMPLETED APPLICATIONS

- 1 SUBMITTED TO IT FROM THE DIVISION AT THE NEXT REGULARLY
2 SCHEDULED MEETING OF THE BOARD."
- 3 Page 9, strike lines 20 through 23.
- 4 Page 10, line 23, after "(d)" insert "(I)".
- 5 Page 11, after line 1 insert:
- 6 "(II) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (3)(d)(I)
7 OF THIS SECTION, AN APPROVED APPLICANT MAY REQUEST CHANGES TO
8 THE TERMS OF AN APPROVED LOAN OR GRANT AT ANY TIME BEFORE THE
9 CONTRACT IS FINALIZED AND THE DIVISION SHALL REVIEW AND RESPOND
10 TO ANY REQUESTS FOR CHANGES MADE AFTER APPROVAL OF THE LOAN OR
11 GRANT BUT BEFORE THE CONTRACT IS FINALIZED WITHIN THIRTY DAYS. A
12 REQUEST FOR CHANGES BY AN APPROVED APPLICANT MAY EXTEND ANY
13 APPLICABLE TIME PERIOD SET FORTH IN SUBSECTION (3)(c)(I) BY NOT
14 MORE THAN THIRTY DAYS."
- 15 Page 11, strike lines 5 through 9.
- 16 Renumber succeeding sections accordingly.
- 17 Page 11, line 17, strike "(2)(e), (7)(d), and (7)(h);" and substitute
18 "(2)(e);".
- 19 Page 12, strike line 3 and substitute "SERVED;".
- 20 Page 12, line 4, strike "SERVICES," and substitute "OPTIMIZE".
- 21 Page 12, line 5, strike "CREATED, AND" and substitute "CREATED;
22 OPTIMIZE".
- 23 Page 12, line 6, after "HOUSING;" insert "CONSIDER THE IMPACT OF AWARD
24 TERMS ON THE FINANCIAL STABILITY OF THE ORGANIZATIONS DELIVERING
25 THESE DEVELOPMENT PROJECTS AND RESIDENT SERVICES;".
- 26 Page 12, line 7, after "available" insert "PUBLIC OR PRIVATE" and after
27 "money;" insert "BE LAYERED WITH OTHER FUNDS ADMINISTERED BY THE
28 STATE;".
- 29 Page 12, line 9, after the period insert "THE DIVISION MAY EVALUATE AND
30 AWARD FUNDING OPPORTUNITIES AT ALL STAGES OF A PROJECT,

- 1 INCLUDING PREDEVELOPMENT AND FIRST-IN CATALYTIC FUND
2 COMMITMENTS.".
- 3 Page 12, strike lines 10 through 22.
- 4 Page 13, strike lines 26 and 27.
- 5 Strike pages 14 and 15.
- 6 Page 16 strike lines 1 through 20 and substitute:
- 7 **"SECTION 10. No appropriation.** The general assembly has
8 determined that this act can be implemented within existing
9 appropriations, and therefore no separate appropriation of state money is
10 necessary to carry out the purposes of this act.".
- 11 Renumber succeeding section accordingly.
- 12 Page 17, line 4, strike "(a)" and strike "11" and substitute "9".
- 13 Page 17, strike lines 9 through 11.
- 14 Strike "PURPOSE;" and substitute "PROGRAM;" on: **Page 6**, lines 8 and 10.
- 15 Page 1, line 107, strike "FUND;" and substitute "FUND AND".
- 16 Page 1, line 109, strike "HOUSING; AND ALLOWING A" and substitute
17 "HOUSING.".
- 18 Page 1, strike lines 110 through 112.

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