

First Regular Session
Seventy-third General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 21-1023.02 Bob Lackner x4350

HOUSE BILL 21-1329

HOUSE SPONSORSHIP

Gonzales-Gutierrez and Woodrow, Amabile, Bacon, Benavidez, Bernett, Bird, Boesenecker, Cutter, Duran, Froelich, Garnett, Gray, Hooton, Jackson, Jodeh, Kennedy, Kipp, McCluskie, McCormick, McLachlan, Michaelson Jenet, Mullica, Ortiz, Ricks, Roberts, Sirota, Sullivan, Tipper, Titone, Valdez A., Weissman, Young

SENATE SPONSORSHIP

Holbert and Gonzales,

House Committees

Transportation & Local Government
Appropriations

Senate Committees

State, Veterans, & Military Affairs
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE USE OF MONEY THE STATE RECEIVES FROM THE**
102 **FEDERAL GOVERNMENT UNDER THE "AMERICAN RESCUE PLAN**
103 **ACT OF 2021" TO MAKE INVESTMENTS IN HOUSING TO ASSIST**
104 **PERSONS DISPROPORTIONATELY IMPACTED BY THE COVID-19**
105 **PUBLIC HEALTH EMERGENCY FACING HOUSING INSECURITY,**
106 **AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The federal government enacted the "American Rescue Plan Act

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
3rd Reading Unamended
June 4, 2021

HOUSE
Amended 2nd Reading
June 3, 2021

of 2021" (federal act) to provide support to state, local, and tribal governments in responding to the impact of COVID-19 and to assist them in their efforts to contain the effects of COVID-19 on their communities, residents, and businesses. Under the federal act, the state of Colorado receives over \$500 million to address the housing needs of populations, households, or geographic areas disproportionately affected by the COVID-19 public health emergency.

The bill creates the affordable housing and home ownership cash fund (fund) in the state treasury. To respond to the public health emergency with respect to COVID-19 or its negative economic impacts, the bill authorizes the general assembly to appropriate money from the fund to a department for programs or services that benefit populations, households, or geographic areas disproportionately impacted by the COVID-19 public health emergency, focusing on programs or services that address housing insecurity, lack of affordable housing, or homelessness.

Three days after the effective date of the bill, the state treasurer is required to transfer \$550 million from the "American Rescue Plan Act of 2021" cash fund to the fund.

The bill requires the executive committee of the legislative council, by resolution, to create a task force to meet during the 2021 interim and issue a report with recommendations to the general assembly and the governor on policies to create transformative change in the area of housing using money the state receives from the federal act. The task force may include nonlegislative members and have working groups created to assist them.

For the 2021-22 state fiscal year, the bill appropriates \$100 million to the department of local affairs for use by the division of housing (division). This appropriation is from the fund. To implement the bill, the division may use the appropriation for programs and services that provide gap financing for projects financed through the housing investment trust fund or the housing development grant fund to assist populations, households, or geographic areas disproportionately affected by the COVID-19 public health emergency in order to obtain affordable housing by the acquisition, construction, or renovation of affordable housing projects or land acquisition, thus enabling individuals and families to relocate to neighborhoods with high levels of economic opportunity and reducing concentrated areas of low economic opportunity.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** 24-75-229 as
3 follows:

1 **24-75-229. Affordable housing and home ownership cash fund**

2 **- creation - allowable uses - task force - legislative declaration -**

3 **definitions - repeal. (1) THE GENERAL ASSEMBLY FINDS, DETERMINES,**

4 AND DECLARES THAT:

5 (a) AS A RESULT OF THE COVID-19 PUBLIC HEALTH EMERGENCY,
6 A SIGNIFICANT SHARE OF HOUSEHOLDS ACROSS THE STATE NOW FACE
7 VARIOUS FORMS OF HOUSING INSECURITY;

8 (b) ALTHOUGH THE IMPACTS OF THE COVID-19 PUBLIC HEALTH
9 EMERGENCY HAVE BEEN WIDESPREAD, BOTH THE PUBLIC HEALTH AND
10 ECONOMIC IMPACT OF THE PANDEMIC HAVE FALLEN MOST SEVERELY ON
11 DISADVANTAGED COMMUNITIES AND POPULATIONS. LOW-INCOME
12 COMMUNITIES, PEOPLE OF COLOR, AND TRIBAL COMMUNITIES HAVE FACED
13 HIGHER RATES OF INFECTION, HOSPITALIZATION, AND DEATH, AS WELL AS
14 HIGHER RATES OF UNEMPLOYMENT AND LACK OF BASIC NECESSITIES SUCH
15 AS FOOD AND HOUSING. PREEXISTING SOCIAL VULNERABILITIES MAGNIFIED
16 THE PANDEMIC IN THESE COMMUNITIES, WHERE A REDUCED ABILITY TO
17 WORK FROM HOME AND DENSER HOUSING AMPLIFIED THE RISK OF
18 INFECTION.

19 (c) THE FEDERAL GOVERNMENT ENACTED THE "AMERICAN RESCUE
20 PLAN ACT OF 2021" TO PROVIDE SUPPORT TO STATE, LOCAL, AND TRIBAL
21 GOVERNMENTS IN RESPONDING TO THE IMPACT OF COVID-19 AND TO
22 ASSIST THEIR EFFORTS TO CONTAIN THE EFFECTS OF COVID-19 ON THEIR
23 COMMUNITIES, RESIDENTS, AND BUSINESSES. UNDER THE FEDERAL ACT,
24 THE STATE OF COLORADO RECEIVES OVER THREE BILLION DOLLARS TO BE
25 USED FOR THE PURPOSES IDENTIFIED IN THE FEDERAL ACT.

26 (d) REGULATIONS CONSTRUING THE FEDERAL ACT PROMULGATED
27 BY THE UNITED STATES TREASURY IDENTIFY A NONEXCLUSIVE LIST OF

1 USES THAT ADDRESS THE DISPROPORTIONATE NEGATIVE ECONOMIC
2 EFFECTS OF THE COVID-19 PUBLIC HEALTH EMERGENCY, INCLUDING
3 BUILDING STRONGER COMMUNITIES THROUGH INVESTMENTS IN HOUSING
4 AND NEIGHBORHOODS. SERVICES IN THIS CATEGORY ALLEVIATE THE
5 IMMEDIATE ECONOMIC IMPACT OF THE COVID-19 PUBLIC HEALTH
6 EMERGENCY ON HOUSING INSECURITY, WHILE ADDRESSING CONDITIONS
7 THAT CONTRIBUTED TO POOR PUBLIC HEALTH AND ECONOMIC OUTCOMES
8 DURING THE PANDEMIC, NAMELY CONCENTRATED AREAS WITH LIMITED
9 ECONOMIC OPPORTUNITY AND INADEQUATE OR POOR QUALITY HOUSING.
10 UNDER THESE REGULATIONS, FUNDS MAY BE USED FOR PROGRAMS OR
11 SERVICES THAT ADDRESS HOUSING INSECURITY, LACK OF AFFORDABLE
12 AND WORKFORCE HOUSING, OR HOMELESSNESS, INCLUDING:

13 (I) SUPPORTIVE HOUSING OR OTHER PROGRAMS OR SERVICES TO
14 IMPROVE ACCESS TO STABLE, AFFORDABLE HOUSING AMONG UNHOUSED
15 INDIVIDUALS;

16 (II) THE DEVELOPMENT OF AFFORDABLE HOUSING TO INCREASE
17 THE SUPPLY OF AFFORDABLE HOUSING UNITS THAT ARE LIVABLE, VIBRANT,
18 AND DRIVEN BY COMMUNITY BENEFITS; AND

19 (III) HOUSING VOUCHERS AND ASSISTANCE TO ALLOW
20 INDIVIDUALS TO RELOCATE IN NEIGHBORHOODS WITH HIGH LEVELS OF
21 ECONOMIC OPPORTUNITY AND TO REDUCE CONCENTRATED AREAS OF LOW
22 ECONOMIC OPPORTUNITY.

23 (e) THE GENERAL ASSEMBLY FURTHER DETERMINES THAT THE
24 PROGRAMS AND SERVICES FUNDED BY THE TRANSFERS IN THIS SECTION
25 ARE APPROPRIATE USES OF THE MONEY TRANSFERRED TO COLORADO
26 UNDER THE FEDERAL ACT. THIS MONEY WILL BE PUT TO EXPEDITIOUS AND
27 EFFICIENT USE IN BUILDING STRONGER COMMUNITIES ACROSS THE STATE

1 BY MAKING INVESTMENTS IN HOUSING FOR POPULATIONS, HOUSEHOLDS,
2 OR GEOGRAPHIC AREAS DISPROPORTIONATELY AFFECTED BY THE
3 COVID-19 PUBLIC HEALTH EMERGENCY.

4 (f) BY THE ENACTMENT OF THIS SECTION, THE GENERAL ASSEMBLY
5 INTENDS THAT THE MONEY APPROPRIATED TO THE DEPARTMENT OF LOCAL
6 AFFAIRS FOR USE BY THE DIVISION OF HOUSING FROM THE AFFORDABLE
7 HOUSING AND HOME OWNERSHIP CASH FUND CREATED IN SECTION
8 24-75-229 (3)(a) BE USED TO FINANCE PROGRAMS AND SERVICES THAT
9 PROVIDE GAP FINANCING FOR PROJECTS FINANCED THROUGH THE HOUSING
10 INVESTMENT TRUST FUND CREATED IN SECTION 24-32-717 OR THE
11 HOUSING DEVELOPMENT GRANT FUND CREATED IN SECTION 24-32-721.
12 THE GENERAL ASSEMBLY FURTHER INTENDS THAT THE PROGRAMS AND
13 SERVICES FINANCED BY THIS APPROPRIATION ASSIST POPULATIONS,
14 HOUSEHOLDS, OR GEOGRAPHIC AREAS DISPROPORTIONATELY AFFECTED BY
15 THE COVID-19 PUBLIC HEALTH EMERGENCY IN ORDER TO OBTAIN
16 AFFORDABLE HOUSING BY THE ACQUISITION, CONSTRUCTION, OR
17 RENOVATION OF AFFORDABLE HOUSING PROJECTS OR LAND ACQUISITION,
18 THUS ENABLING INDIVIDUALS AND FAMILIES TO RELOCATE TO
19 NEIGHBORHOODS WITH HIGH LEVELS OF ECONOMIC OPPORTUNITY AND
20 REDUCING CONCENTRATED AREAS OF LOW ECONOMIC OPPORTUNITY.

21 (g) PURSUANT TO 31 C.F.R. 35.6 (b)(6), THE TRANSFER TO THE
22 EVICTION LEGAL DEFENSE FUND REQUIRED BY SUBSECTION (3.5) OF THIS
23 SECTION FOR THE PURPOSE OF PROVIDING LEGAL REPRESENTATION TO
24 INDIGENT TENANTS TO RESOLVE CIVIL LEGAL MATTERS ARISING ON AND
25 AFTER MARCH 1, 2020, FOR AN EVICTION OR IMPENDING EVICTION
26 RELATED TO THE PUBLIC HEALTH EMERGENCY CAUSED BY THE COVID-19
27 PUBLIC HEALTH EMERGENCY, IS INTENDED TO ADDRESS HOUSING

1 INSECURITY, LACK OF AFFORDABLE HOUSING, OR HOMELESSNESS TO
2 ASSIST PERSONS DISPROPORTIONATELY AFFECTED BY THE PUBLIC HEALTH
3 EMERGENCY IN OBTAINING AFFORDABLE HOUSING. ACCORDINGLY, THE
4 GENERAL ASSEMBLY FURTHER FINDS, DETERMINES, AND DECLARES THAT
5 THE TRANSFER REQUIRED BY SUBSECTION (3.5) OF THIS SECTION IS AN
6 ELIGIBLE USE OF MONEY RECEIVED BY THE STATE UNDER THE "AMERICAN
7 RESCUE PLAN ACT OF 2021", PUB. L. 117-2.

8 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
9 REQUIRES:

10 (a) "AMERICAN RESCUE PLAN ACT OF 2021" OR "FEDERAL ACT"
11 MEANS THE FEDERAL "AMERICAN RESCUE PLAN ACT OF 2021", PUB.L.
12 117-2, AS THE ACT MAY BE SUBSEQUENTLY AMENDED.

13 (b) "DEPARTMENT" MEANS A PRINCIPAL DEPARTMENT IDENTIFIED
14 IN SECTION 24-1-110, THE JUDICIAL DEPARTMENT, AND THE LEGISLATIVE
15 DEPARTMENT.

16 (c) "FUND" MEANS EITHER THE AFFORDABLE HOUSING AND HOME
17 OWNERSHIP CASH FUND CREATED IN SUBSECTION (3)(a) OF THIS SECTION
18 OR AN IDENTICAL COMPANION FUND CREATED IN SECTION 24-75-226
19 (4)(c).

20 (3) (a) THE AFFORDABLE HOUSING AND HOME OWNERSHIP CASH
21 FUND IS HEREBY CREATED IN THE STATE TREASURY. THE FUND CONSISTS
22 OF MONEY DEPOSITED IN THE FUND IN ACCORDANCE WITH SUBSECTION
23 (3)(b) OF THIS SECTION AND ANY OTHER MONEY THAT THE GENERAL
24 ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND. TO RESPOND TO
25 THE PUBLIC HEALTH EMERGENCY WITH RESPECT TO COVID-19 OR ITS
26 NEGATIVE ECONOMIC IMPACTS, THE GENERAL ASSEMBLY MAY
27 APPROPRIATE OR TRANSFER MONEY FROM THE FUND TO A DEPARTMENT OR

1 CASH FUND FOR PROGRAMS OR SERVICES THAT BENEFIT POPULATIONS,
2 HOUSEHOLDS, OR GEOGRAPHIC AREAS DISPROPORTIONATELY AFFECTED BY
3 THE COVID-19 PUBLIC HEALTH EMERGENCY TO OBTAIN AFFORDABLE
4 HOUSING, FOCUSING ON PROGRAMS OR SERVICES THAT ADDRESS HOUSING
5 INSECURITY, LACK OF AFFORDABLE AND WORKFORCE HOUSING, OR
6 HOMELESSNESS. MONEY FROM THE FUND MAY BE EXPENDED TO SUPPORT
7 THE TASK FORCE CREATED IN SUBSECTION (5)(a) OF THIS SECTION.
8 PERMISSIBLE USES OF SUCH MONEY INCLUDE COSTS ASSOCIATED WITH THE
9 CREATION AND ADMINISTRATION OF THE TASK FORCE AND RELATED
10 EXPENSES FOR RESEARCH AND EVALUATION UNDERTAKEN BY THE TASK
11 FORCE.

12 (b) (I) THREE DAYS AFTER THE EFFECTIVE DATE OF THIS
13 SUBSECTION (3)(b)(I), THE STATE TREASURER SHALL TRANSFER FIVE
14 HUNDRED FIFTY MILLION DOLLARS FROM THE "AMERICAN RESCUE PLAN
15 ACT OF 2021" CASH FUND CREATED IN SECTION 24-75-226 TO THE FUND;
16 AND

17 (II) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
18 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
19 FUND TO THE FUND.

20 (c) THE DIVISION OF HOUSING WITHIN THE DEPARTMENT OF LOCAL
21 AFFAIRS SHALL USE THE APPROPRIATION MADE BY HOUSE BILL 21-1329,
22 ENACTED IN 2021, FOR PROGRAMS OR SERVICES OF THE TYPE AND KIND
23 FINANCED THROUGH THE HOUSING INVESTMENT TRUST FUND CREATED IN
24 SECTION 24-32-717 OR THE HOUSING DEVELOPMENT GRANT FUND
25 CREATED IN SECTION 24-32-721 TO SUPPORT THE PROGRAMS OR SERVICES
26 THAT BENEFIT POPULATIONS, HOUSEHOLDS, OR GEOGRAPHIC AREAS
27 DISPROPORTIONATELY AFFECTED BY THE COVID-19 PUBLIC HEALTH

1 EMERGENCY TO OBTAIN AFFORDABLE HOUSING, FOCUSING ON PROGRAMS
2 OR SERVICES THAT ADDRESS HOUSING INSECURITY, LACK OF AFFORDABLE
3 AND WORKFORCE HOUSING, OR HOMELESSNESS, INCLUDING THE
4 PROGRAMS OR SERVICES DESCRIBED IN SUBSECTION (1)(d) OF THIS
5 SECTION. THE DIVISION MAY USE NOT MORE THAN THREE PERCENT OF ANY
6 MONEY APPROPRIATED OR TRANSFERRED TO IT UNDER HOUSE BILL 1329,
7 ENACTED IN 2021, TO COVER THE TOTAL ADMINISTRATIVE COSTS OF THE
8 DIVISION IN ADMINISTERING THE PROGRAMS OR SERVICES FOR WHICH
9 MONEY IS APPROPRIATED OR TRANSFERRED TO IT UNDER HOUSE BILL
10 1329, ENACTED IN 2021.

11 (4) THREE DAYS AFTER THE EFFECTIVE DATE OF THIS SUBSECTION
12 (4), THE STATE TREASURER SHALL TRANSFER ONE MILLION FIVE HUNDRED
13 THOUSAND DOLLARS FROM THE FUND TO THE EVICTION LEGAL DEFENSE
14 FUND CREATED IN SECTION 13-40-127 (2).

15 (5) A DEPARTMENT MAY EXPEND MONEY APPROPRIATED FROM THE
16 FUND FOR PURPOSES PERMITTED UNDER THE "AMERICAN RESCUE PLAN
17 ACT OF 2021" AND SHALL NOT USE THE MONEY FOR ANY PURPOSE
18 PROHIBITED BY THE ACT. A DEPARTMENT, NONPROFIT ORGANIZATION, OR
19 LOCAL GOVERNMENT, INCLUDING A COUNTY, MUNICIPALITY, SPECIAL
20 DISTRICT, OR SCHOOL DISTRICT, OR ANY OTHER PERSON WHO RECEIVES
21 MONEY FROM THE FUND SHALL COMPLY WITH ANY REQUIREMENTS SET
22 FORTH IN SECTION 24-75-226.

23 (6) (a) THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL
24 SHALL, BY RESOLUTION, CREATE A TASK FORCE TO MEET DURING THE 2021
25 INTERIM AND ISSUE A REPORT WITH RECOMMENDATIONS TO THE GENERAL
26 ASSEMBLY AND THE GOVERNOR ON POLICIES TO CREATE TRANSFORMATIVE
27 CHANGE IN THE AREA OF HOUSING USING MONEY THE STATE RECEIVES

1 FROM THE FEDERAL CORONAVIRUS STATE FISCAL RECOVERY FUND UNDER
2 TITLE IX, SUBTITLE M OF THE "AMERICAN RESCUE PLAN ACT OF 2021".
3 THE GENERAL ASSEMBLY SHALL ALSO REVIEW RECOMMENDATIONS FOR
4 SUCH POLICIES SUBMITTED BY THE STRATEGIC HOUSING WORKING GROUP
5 ASSEMBLED BY THE DEPARTMENT AND THE STATE HOUSING BOARD
6 CREATED IN SECTION 24-32-706 (1).

7 (b) THE TASK FORCE MAY INCLUDE NONLEGISLATIVE MEMBERS
8 AND CREATE WORKING GROUPS TO ASSIST THEM. THE EXECUTIVE
9 COMMITTEE OF THE LEGISLATIVE COUNCIL SHALL HIRE A FACILITATOR TO
10 GUIDE THE WORK OF THE TASK FORCE.

11 (c) THE TASK FORCE CREATED IN THIS SECTION IS NOT SUBJECT TO
12 THE REQUIREMENTS SPECIFIED IN SECTION 2-3-303.3 OR RULE 24A OF THE
13 JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES. THE
14 EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL SHALL SPECIFY
15 REQUIREMENTS GOVERNING MEMBERS' PARTICIPATION IN THE TASK FORCE.
16 THE TASK FORCE SHALL NOT SUBMIT BILL DRAFTS AS PART OF THEIR
17 RECOMMENDATIONS.

18 (d) THE MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO
19 THE LEGISLATIVE BRANCH OF STATE GOVERNMENT FOR PAYMENT OF THE
20 REASONABLE EXPENSES INCURRED BY THE TASK FORCE SUBJECT TO THE
21 APPROVAL OF THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL.

22 (7) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2027.

23 **SECTION 2.** In Colorado Revised Statutes, 24-32-721, **add** (5)
24 as follows:

25 **24-32-721. Colorado affordable housing construction grants**
26 **and loans - housing development grant fund - creation - housing**
27 **assistance for persons with behavioral, mental health, or substance**

1 **use disorders - cash fund - appropriation - report to general assembly**
2 **- rules - definitions - repeal.** (5) ANY PRINCIPAL OR INTEREST PAYMENTS
3 RECEIVED BY THE DIVISION FROM A BORROWER PURSUANT TO A LOAN
4 ORIGINATED USING FUNDS APPROPRIATED FROM THE AFFORDABLE
5 HOUSING AND HOME OWNERSHIP CASH FUND CREATED IN SECTION
6 24-75-229 (3)(a) MUST BE DEPOSITED IN THE HOUSING INVESTMENT
7 TRUST FUND CREATED IN SECTION 24-32-717 (1).

8 **SECTION 3.** In Colorado Revised Statutes, 13-40-127, **add (9)**
9 **as follows:**

10 **13-40-127. Eviction legal assistance - fund - rules - report -**
11 **definitions - repeal. (9) (a) IN ACCORDANCE WITH SECTION 24-75-229**
12 **(4), THREE DAYS AFTER THE EFFECTIVE DATE OF SECTION 24-75-229 (4),**
13 **THE STATE TREASURER SHALL TRANSFER ONE MILLION FIVE HUNDRED**
14 **THOUSAND DOLLARS FROM THE AFFORDABLE HOUSING AND HOME**
15 **OWNERSHIP CASH FUND CREATED IN SECTION 24-75-229 (3)(a) TO THE**
16 **FUND FOR THE PURPOSE OF PROVIDING LEGAL REPRESENTATION TO**
17 **INDIGENT TENANTS TO RESOLVE CIVIL LEGAL MATTERS ARISING ON AND**
18 **AFTER MARCH 1, 2020, FOR AN EVICTION OR IMPENDING EVICTION**
19 **RELATED TO THE PUBLIC HEALTH EMERGENCY CAUSED BY THE COVID-19**
20 **PUBLIC HEALTH EMERGENCY. THE MONEY TRANSFERRED TO THE FUND**
21 **PURSUANT TO THIS SUBSECTION (9)(a) MUST BE MAINTAINED IN A**
22 **SEPARATE ACCOUNT AND MUST BE USED ONLY FOR THE PURPOSES**
23 **SPECIFIED IN THIS SUBSECTION (9)(a). THE GENERAL ASSEMBLY SHALL**
24 **APPROPRIATE THE MONEY TRANSFERRED TO THE FUND PURSUANT TO THIS**
25 **SUBSECTION (9)(a) TO THE ADMINISTRATOR FOR USE IN ACCORDANCE WITH**
26 **THIS SUBSECTION (9)(a). THE ADMINISTRATOR SHALL USE THE MONEY BY**
27 **DECEMBER 31, 2024, FOR THE PURPOSES SPECIFIED IN THIS SUBSECTION**

1 (9)(a).

2 (b) NOT LATER THAN SEPTEMBER 1, 2021, THE ADMINISTRATOR
3 SHALL USE THE MONEY TRANSFERRED TO THE FUND UNDER SUBSECTION
4 (9)(a) OF THIS SECTION TO MAKE GRANT AWARDS FOR THE USES SPECIFIED
5 IN (9)(a) OF THIS SECTION TO:

6 (I) QUALIFYING ORGANIZATIONS THAT HAVE PREVIOUSLY BEEN
7 AWARDED A GRANT FROM THE FUND IN THE 2020-21 STATE FISCAL YEAR;
8 AND

9 (II) NEWLY QUALIFYING ORGANIZATIONS.

10 (c) ANY MONEY TRANSFERRED TO THE FUND IN ACCORDANCE WITH
11 SUBSECTION (9)(a) OF THIS SECTION THAT HAS NOT BEEN EXPENDED OR
12 ENCUMBERED AS OF JUNE 30, 2021, MUST REVERT TO THE AFFORDABLE
13 HOUSING AND HOME OWNERSHIP CASH FUND CREATED IN SECTION
14 24-75-229 (3)(a).

15 (d) THIS SUBSECTION (9) IS REPEALED, EFFECTIVE JULY 1, 2025.

16 **SECTION 4. Appropriation.** (1) For the 2021-22 state fiscal
17 year, \$98,500,000 is appropriated to the department of local affairs for
18 use by the division of housing. This appropriation is from the affordable
19 housing and home ownership cash fund created in section 24-75-229
20 (3)(a), C.R.S. and of money the state received from the federal
21 coronavirus state fiscal recovery fund. To implement this act, the division
22 may use the appropriation for purposes authorized in section 24-75-229
23 (3), C.R.S. Any money appropriated in this subsection that is not
24 expended or encumbered at the end of the 2021-22 state fiscal year
25 remains available for expenditure in subsequent fiscal years without
26 further appropriation, subject to the requirements for obligating and
27 expending money received under the federal "American Rescue Plan Act

1 of 2021", Pub. L. 117-2, as the act may be subsequently amended as
2 specified in section 24-75-226 (4)(d).

3 (2) For the 2021-22 state fiscal year, \$200,000 is appropriated to
4 the legislative department. This appropriation is from the affordable
5 housing and home ownership cash fund created in Section 24-75-229
6 (3)(a), C.R.S., and originates from the general fund. The department may
7 use this appropriation to implement this act.

8 (3) For the 2021-22 state fiscal year, \$1,500,000 is appropriated
9 to the judicial department for use by the eviction legal defense fund grant
10 program. This appropriation is from the affordable housing and home
11 ownership cash fund created in section 24-75-229 (3)(a) and of money the
12 state received from the federal coronavirus state fiscal recovery fund. To
13 implement this act, the department may use this appropriation for the
14 purpose of providing legal representation to indigent tenants as specified
15 in section 13-40-127 (3) and (9), C.R.S. Any money appropriated in this
16 section not expended as of June 30, 2021, must revert to the affordable
17 housing and home ownership cash fund created in section 24-75-229
18 (3)(a).

19 **SECTION 5. Effective date.** This act takes effect only if Senate
20 Bill 21-288 becomes law, and, in which case, this act takes effect either
21 upon the effective date of this act or one day after the passage of Senate
22 Bill 21-288, whichever is later.

23 **SECTION 6. Safety clause.** The general assembly hereby finds,
24 determines, and declares that this act is necessary for the immediate
25 preservation of the public peace, health, or safety.