

HB1061_L.007

HOUSE COMMITTEE OF REFERENCE AMENDMENT
Committee on Transportation, Housing & Local Government.
HB26-1061 be amended as follows:

- 1 Amend proposed committee amendment (HB1061_L.006), page 1, line
2 29, strike "HOUSING." and substitute "HOUSING.
- 3 (4) SCORING PREFERENCES ADOPTED PURSUANT TO THIS SECTION
4 MAY AWARD POINTS FOR ONE OR MORE OF THE FOLLOWING CRITERIA:
5 (a) THE DEVELOPMENT PROVIDES A VOLUNTARY SET-ASIDE OF
6 DWELLING UNITS FOR OCCUPANCY BY PERSONS WITH DISABILITIES IN
7 EXCESS OF ANY MINIMUM REQUIRED BY LAW;
8 (b) THE DEVELOPMENT AFFIRMATIVELY MARKETS AND LEASES
9 UNITS IN A MANNER DESIGNED TO PROMOTE INTEGRATION AND AVOID
10 SEGREGATION OR INSTITUTIONALIZATION;
11 (c) THE DEVELOPMENT INCORPORATES UNIVERSAL DESIGN,
12 VISITABILITY STANDARDS, OR ENHANCED ACCESSIBILITY FEATURES;
13 (d) THE APPLICANT DEMONSTRATES COORDINATION WITH HCBS
14 WAIVER SERVICES PROVIDERS TO SUPPORT COMMUNITY LIVING;
15 (e) THE DEVELOPMENT AVOIDS CLUSTERING RESERVED UNITS IN A
16 MANNER THAT ISOLATES OR SEGREGATES RESIDENTS WITH DISABILITIES;
17 AND
18 (f) THE DEVELOPMENT LEVERAGES PROJECT-BASED RENTAL
19 ASSISTANCE OR OTHER OPERATING SUPPORT TO SERVE PERSONS
20 TRANSITIONING FROM INSTITUTIONAL TO COMMUNITY HOUSING.
- 21 (5) SCORING CRITERIA ADOPTED PURSUANT TO THIS SECTION MUST
22 BE STRUCTURED AND APPLIED CONSISTENT WITH THE FEDERAL "FAIR
23 HOUSING ACT", 42 U.S.C. SEC. 3601 TO 3619, PART 5 OF ARTICLE 34 OF
24 THIS TITLE 24, AND ALL OTHER APPLICABLE FEDERAL AND STATE HOUSING
25 AND CIVIL RIGHTS LAWS.
- 26 (6) (a) THE INCLUSION OF A SCORING PREFERENCE FOR
27 DEVELOPMENTS THAT RESERVE UNITS FOR PERSONS WITH DISABILITIES
28 DOES NOT CREATE A LIMITATION ON THE NUMBER OF UNITS THAT MAY BE
29 OCCUPIED BY PERSONS WITH DISABILITIES AND SHALL NOT BE CONSTRUED
30 TO AUTHORIZE DISCRIMINATION IN NON-RESERVED UNITS.
31 (b) CONSISTENT WITH THE SCORING PREFERENCE FOR
32 DEVELOPMENTS THAT RESERVE UNITS FOR PERSONS WITH DISABILITIES,
33 HOUSING PROVIDERS MAY ADOPT TENANT SELECTION POLICIES THAT GIVE
34 PRIORITY OR PREFERENCE TO PERSONS WITH DISABILITIES, WHICH PRIORITY
35 OR PREFERENCE IS NOT PER SE DISCRIMINATORY IF WRITTEN AND
36 IMPLEMENTED CONSISTENT WITH FEDERAL AND STATE FAIR HOUSING LAW.
- 37 (7) THE DIVISION MAY ADOPT RULES AS NECESSARY TO IMPLEMENT
38 THIS SECTION.".

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