

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Transportation & Local Government.

HB22-1304 be amended as follows:

1 Amend printed bill, page 8, after line 4 insert:

2 "(8) The general assembly further declares that the programs and
3 services described in this act are important government services.".

4 Page 8, strike lines 11 through 21.

5 Reletter succeeding paragraphs accordingly.

6 Page 9, line 10, after "AUTHORITY," insert "COUNCIL OF GOVERNMENT, A
7 REGIONAL PLANNING COMMISSION ORGANIZED UNDER TITLE 30,".

8 Page 9, strike lines 14 through 20.

9 Page 10, after line 16 insert:

10 "(III) INCREASE NEW AFFORDABLE FOR-SALE HOUSING STOCK BY
11 PROVIDING FUNDING TO ASSIST WITH THE COSTS OF CONSTRUCTION,
12 INCLUDING BUT NOT LIMITED TO CONSTRUCTION COSTS, LAND
13 ACQUISITION COSTS, TAP FEES, BUILDING PERMITS, AND IMPACT FEES;".

14 Rerumber succeeding subparagraphs accordingly.

15 Page 11, line 1, after "HOUSING"insert "UNITS THAT ARE INTEGRATED
16 INTO NONSEGREGATED HOUSING UNITS THAT ARE".

17 Page 11, line 5, after "BASIS;" add "AND".

18 Page 11, line 10, strike "SERVICES; AND" and substitute "SERVICES.".

19 Page 11, line 11, strike "(F) FINANCING" and substitute "(IV) FINANCE".

20 Rerumber succeeding subparagraphs accordingly.

21 Page 11, line 16, strike "PROPERTY" and substitute "PROVIDE OR
22 MAINTAIN PROPERTY".

23 Page 11, line 18, strike "PERMANENT" and substitute "PROVIDE OR
24 MAINTAIN PERMANENT".

25 Page 11, line 19, strike "LAND" and substitute "PROVIDE OR MAINTAIN

1 LAND".

2 Page 11, line 21, strike "FUNDING" and substitute "PROVIDE OR MAINTAIN
3 FUNDING".

4 Page 12, lines 8 and 9, strike "GIVE PREFERENCE TO" and substitute
5 "PRIORITIZE".

6 Page 12, strike lines 12 through 16 and substitute the following:

7 "(I) INCREASE THE SUPPLY OF HOUSING IN URBAN, RURAL, AND
8 RURAL RESORT COMMUNITIES ACROSS THE STATE THAT IS PROPORTIONAL
9 TO EACH COMMUNITY'S DEMONSTRATED NEED THROUGH:

10 (A) A PREFERENCE FOR MIXED-INCOME PROJECTS IN WHICH A
11 PERCENTAGE OF UNITS, PROPORTIONAL TO THE DEMONSTRATED HOUSING
12 NEEDS OF THE LOCAL COMMUNITY, WITHIN A PARTICULAR DEVELOPMENT
13 HAVE RESTRICTED AVAILABILITY TO HOUSEHOLDS AT AND BELOW THE
14 INCOME LEVELS SPECIFIED IN SUBSECTION (3)(c) OF THIS SECTION. THE
15 PERCENTAGE OF RESTRICTED UNITS AND AFFORDABILITY LEVELS MUST
16 COMPLY WITH LAWS ENACTED BY LOCAL GOVERNMENTS PROMOTING THE
17 DEVELOPMENT OF NEW AFFORDABLE HOUSING UNITS PURSUANT TO
18 SECTION 29-20-104 (1);

19 (B) DEVELOPMENTS IN WHICH HOUSING UNITS ARE RESTRICTED AT
20 INCOME LEVELS DEMONSTRATED BY LOCAL COMMUNITY NEEDS AS
21 SPECIFIED IN SUBSECTION (3)(c)(I) OF THIS SECTION;

22 (C) TRANSIT ORIENTED DEVELOPMENT;

23 (D) THE INCLUSION OF HOUSING UNITS THAT ARE RESTRICTED FOR
24 RENTAL USAGE TO PERSONS WITH DISABILITIES OR THAT INCLUDE
25 UNIVERSAL DESIGN FEATURES THAT ALLOW INDIVIDUALS TO CONTINUE TO
26 RESIDE IN THEIR DWELLING UNITS AS THEY AGE; OR

27 (E) HOUSING THAT IS RESTRICTED TO THE VICTIMS OF DOMESTIC
28 VIOLENCE OR SEXUAL ASSAULT;".

29 Page 12, after line 18 insert:

30 "(III) CREATE OPPORTUNITIES TO BUILD INTERGENERATIONAL
31 WEALTH FOR FAMILIES;

32 (IV) PROMOTE THE LONG-TERM AFFORDABILITY OF ANY
33 DEVELOPMENTS OR PROJECTS THAT ARE FUNDED BY THE GRANT
34 PROGRAM;".

35 Renumber succeeding subparagraphs accordingly.

1 Page 12, line 22, strikes "OBLIGATIONS." and substitute "OBLIGATIONS
2 AND CONTRIBUTE TO THE OVERALL WELL-BEING AND PROFESSIONAL AND
3 RECREATIONAL NEEDS OF THE LOCAL WORKFORCE AND POPULATION.

4 (c) THE RENTAL AND HOME OWNERSHIP TARGETS APPLICABLE TO
5 LOCAL COMMUNITIES ACROSS THE STATE AS REQUIRED BY SUBSECTION
6 (3)(b)(I) OF THIS SECTION ARE SPECIFIED IN SUBSECTION (3)(c)(I) OF THIS
7 SECTION IN ACCORDANCE WITH THE FOLLOWING:

8 (I) (A) FOR RENTAL HOUSING IN URBAN COUNTIES, HOUSING MUST
9 BE TARGETED TO HOUSEHOLDS WITH AN ANNUAL INCOME THAT IS AT OR
10 BELOW EIGHTY PERCENT OF THE AREA MEDIAN INCOME OF HOUSEHOLDS
11 OF THAT SIZE IN THE COUNTY IN WHICH THE HOUSING IS LOCATED.

12 (B) FOR RENTAL HOUSING IN RURAL COUNTIES, HOUSING MUST BE
13 TARGETED TO HOUSEHOLDS WITH AN ANNUAL INCOME THAT IS AT OR
14 BELOW ONE HUNDRED FORTY PERCENT OF THE AREA MEDIAN INCOME OF
15 HOUSEHOLDS OF THAT SIZE IN THE COUNTY IN WHICH THE HOUSING IS
16 LOCATED.

17 (C) FOR RENTAL HOUSING IN RURAL RESORT COUNTIES, HOUSING
18 MUST BE TARGETED TO HOUSEHOLDS WITH AN ANNUAL INCOME THAT IS AT
19 OR BELOW ONE HUNDRED SEVENTY PERCENT OF THE AREA MEDIAN INCOME
20 OF HOUSEHOLDS OF THAT SIZE IN THE COUNTY IN WHICH THE HOUSING IS
21 LOCATED.

22 (D) FOR HOME OWNERSHIP HOUSING IN ANY AREA OF THE STATE,
23 HOUSING MUST BE TARGETED TO HOUSEHOLDS WITH AN ANNUAL INCOME
24 THAT IS AT OR BELOW ONE HUNDRED FORTY PERCENT OF THE AREA
25 MEDIAN INCOME OF HOUSEHOLDS OF THAT SIZE IN THE COUNTY IN WHICH
26 THE HOUSING IS LOCATED.

27 (II) NOT LATER THAN SEPTEMBER 1, 2022, THE DIVISION SHALL
28 CLASSIFY EACH COUNTY IN THE STATE AS "URBAN", "RURAL", OR "RURAL
29 RESORT" BASED UPON DEFINITIONS OF THE TERMS AS SPECIFIED IN THE
30 FINAL REPORT OF THE COLORADO STRATEGIC HOUSING WORKING REPORT
31 DATED JULY 6, 2021. THE DIVISION SHALL REGULARLY UPDATE AND
32 PUBLISH MODIFICATION OF THE INITIAL CLASSIFICATION OF A PARTICULAR
33 COUNTY AS IT RECEIVES INFORMATION DOCUMENTING CHANGES IN LOCAL
34 ECONOMIC CIRCUMSTANCES AND HOUSING COST FACTORS MATERIALLY
35 AFFECTING SUCH CLASSIFICATIONS.

36 (III) NOTWITHSTANDING SUBSECTION (3)(c)(I) OF THIS SECTION,
37 ANY COUNTY MAY REQUEST FROM THE DIVISION:

38 (A) A DETERMINATION THAT A DIFFERENT INCOME RESTRICTION
39 SHOULD APPLY TO THAT COUNTY FROM THE ONE MADE APPLICABLE TO THE
40 COUNTY IN ACCORDANCE WITH SUBSECTION (3)(c)(I) OF THIS SECTION
41 BASED UPON THE UNIQUE ECONOMIC AND HOUSING COST FACTORS
42 PRESENT IN THE COUNTY. NOT LATER THAN SEPTEMBER 1, 2022, THE
43 DIVISION SHALL PUBLISH ANY SUCH MODIFIED INCOME RESTRICTIONS AND

1 THE BASIS FOR ANY MODIFICATION APPROVED.

2 (B) AT ANY TIME, A RECLASSIFICATION OF THE COUNTY FROM THE
3 CATEGORY IN WHICH THE COUNTY IS INITIALLY CLASSIFIED PURSUANT TO
4 SUBSECTION (3)(c)(II) BASED UPON THE UNIQUE ECONOMIC AND HOUSING
5 COST FACTORS PRESENT IN THE COUNTY.".

6 Reletter succeeding paragraphs accordingly.

7 Page 12, after line 26 insert:

8 "(e) IN DETERMINING GRANT AMOUNTS, THE DIVISION SHALL SEEK
9 TO INCREASE INVESTMENTS IN FOR-SALE HOUSING STOCK. THE OBJECTIVE
10 DESCRIBED IN THIS SUBSECTION (3)(e) MAY BE ACHIEVED BY PROVIDING
11 GRANTS UNDER THE GRANT PROGRAM THAT ARE LAYERED WITH AWARDS
12 UNDER EXISTING STATE GRANT PROGRAMS TO INCREASE SUBSIDIES ON A
13 PER-UNIT BASIS.

14 (f) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION:

15 (I) THROUGH DECEMBER 31, 2023, THE DIVISION SHALL MAKE
16 NOT MORE THAN FIFTY PERCENT OF THE MONEY AVAILABLE UNDER THE
17 GRANT PROGRAM FOR GRANT APPLICATIONS, DEVELOPMENTS, OR
18 PROGRAMS THAT ARE PROPOSED FOR RURAL OR RURAL RESORT COUNTIES
19 ACROSS THE STATE AND SHALL MAKE NOT MORE THAN FIFTY PERCENT OF
20 THE FUNDS AVAILABLE UNDER THE GRANT PROGRAM FOR GRANT
21 APPLICATIONS, DEVELOPMENTS, OR PROGRAMS THAT ARE PROPOSED FOR
22 URBAN COUNTIES ACROSS THE STATE.

23 (II) AFTER DECEMBER 31, 2023, ALL UNENCUMBERED MONEY
24 AVAILABLE UNDER THE GRANT PROGRAM MAY BE EXPENDED IN
25 ACCORDANCE WITH THIS SECTION IN ANY AREA OF THE STATE WITHOUT
26 REGARD TO THE RESTRICTIONS SPECIFIED IN THIS SUBSECTION (3)(e).

27 (III) NOT LATER THAN JULY 15, 2023, THE DIVISION SHALL SUBMIT
28 A REPORT TO THE GENERAL ASSEMBLY SPECIFYING THE STATE OF
29 ENCUMBERED MONEY UNDER THE GRANT PROGRAM AS OF JUNE 30, 2023,
30 AND A LIST OF PROJECTS THAT HAVE BEEN APPROVED BUT THAT ARE
31 AWAITING FUNDING AS OF JUNE 30, 2023.

32 (g) IN LIGHT OF DIFFERING NEEDS FOR PER HOUSING UNIT
33 SUBSIDIES ACROSS DIFFERENT AREAS OF THE STATE, THE DIVISION MAY
34 WAIVE PER UNIT SUBSIDY AMOUNTS THAT HAVE BEEN INITIALLY SET FOR
35 PARTICULAR PROJECTS OR PROGRAMS TO ADJUST FOR MARKET FACTORS IF
36 THE PURPOSE OF THE PROJECT HAS BEEN ACCOMPLISHED OR TO SATISFY
37 THE INTENT OF THE GRANT AWARD.".

38 Reletter succeeding paragraph accordingly.

1 Page 14, line 16, after "**Reporting.**" insert "(a)".

2 Page 15, after line 6 insert:

3 "(b) THE DIVISION AND ANY PERSON THAT RECEIVES MONEY FROM
4 THE DIVISION PURSUANT TO THE GRANT PROGRAM SHALL COMPLY WITH
5 THE COMPLIANCE, REPORTING, RECORD-KEEPING, AND PROGRAM
6 EVALUATION REQUIREMENTS ESTABLISHED BY THE OFFICE OF STATE
7 PLANNING AND BUDGETING AND THE STATE CONTROLLER IN ACCORDANCE
8 WITH SECTION 24-75-226 (5).".

9 Page 16, line 16, after "PLANNING," insert "ENGINEERING,".

10 Page 18, line 25, strike "PROGRAM" and substitute "PROGRAM, IN
11 CONSULTATION WITH THE COLORADO ENERGY OFFICE, CREATED IN
12 SECTION 24-38.5-101 (1), AND THE DEPARTMENT OF TRANSPORTATION,
13 CREATED IN SECTION 43-1-103 (1),".

14 Page 19, strike lines 19 through 23 and substitute "REQUIRE THAT A
15 GRANT AWARD BE USED, AT LEAST IN PART, TO FUND INFRASTRUCTURE
16 PROJECTS THAT INCREASE THE SUPPLY OF AFFORDABLE HOUSING AND
17 THAT ARE WITHIN OR ADJACENT TO EITHER A DOWNTOWN AREA, A CORE
18 BUSINESS DISTRICT OF A MUNICIPALITY, OR A TRANSIT-ORIENTED
19 DEVELOPMENT.".

20 Page 20, strike lines 11 through 13.

21 Page 21, line 8, strike "AND".

22 Page 21, line 12, strike "DEVELOPMENT." and substitute "DEVELOPMENT;
23 AND

24 (C) FINANCING INFRASTRUCTURE IMPROVEMENTS.".

25 Page 21, line 18, strike "TRANSPORTATION" and substitute
26 TRANSPORTATION, CREATED IN SECTION 43-1-103 (1),".

27 Page 22, after line 25 insert:

28 "(c) THE DIVISION AND ANY PERSON THAT RECEIVES MONEY FROM
29 THE DIVISION PURSUANT TO THE GRANT PROGRAM SHALL COMPLY WITH
30 THE COMPLIANCE, REPORTING, RECORD-KEEPING, AND PROGRAM
31 EVALUATION REQUIREMENTS ESTABLISHED BY THE OFFICE OF STATE
32 PLANNING AND BUDGETING AND THE STATE CONTROLLER IN ACCORDANCE

1 WITH SECTION 24-75-226 (5).".

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