

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Local Government & Housing.

SB24-174 be amended as follows:

1 Amend printed bill, page 5, after line 5 insert:

2 "(1) "ACCESSIBLE HOUSING" OR "ACCESSIBLE UNIT" MEANS  
3 HOUSING THAT SATISFIES THE REQUIREMENTS OF THE FEDERAL "FAIR  
4 HOUSING ACT", 42 U.S.C. SEC. 3601 ET SEQ., AS AMENDED, AND  
5 INCORPORATES UNIVERSAL DESIGN.".

6 Renumber succeeding subsections accordingly.

7 Page 5, strike lines 9 through 22 and substitute:

8 "(4) "DISPLACEMENT" MEANS:

9 (a) THE INVOLUNTARY RELOCATION OF RESIDENTS, PARTICULARLY  
10 LOW-INCOME RESIDENTS, OR LOCALLY OWNED COMMUNITY SERVING  
11 BUSINESSES AND INSTITUTIONS DUE TO:

12 (I) INCREASED REAL ESTATE PRICES OR RENTS, PROPERTY  
13 REHABILITATION, REDEVELOPMENT, DEMOLITION, OR OTHER ECONOMIC  
14 FACTORS;

15 (II) PHYSICAL CONDITIONS RESULTING FROM NEGLECT AND  
16 UNDERINVESTMENT THAT RENDER A RESIDENCE UNINHABITABLE; OR

17 (III) PHYSICAL DISPLACEMENT WHEREIN EXISTING HOUSING UNITS  
18 AND COMMERCIAL SPACES ARE LOST DUE TO PROPERTY REHABILITATION,  
19 REDEVELOPMENT, OR DEMOLITION; OR

20 (b) INDIRECT DISPLACEMENT RESULTING FROM CHANGES IN  
21 NEIGHBORHOOD POPULATION, IF, WHEN LOW-INCOME HOUSEHOLDS MOVE  
22 OUT OF HOUSING UNITS, THOSE SAME HOUSING UNITS DO NOT REMAIN  
23 AFFORDABLE TO OTHER LOW-INCOME HOUSEHOLDS IN THE  
24 NEIGHBORHOOD, OR DEMOGRAPHIC CHANGES THAT REFLECT THE  
25 RELOCATION OF EXISTING RESIDENTS FOLLOWING WIDESPREAD  
26 RELOCATION OF THEIR COMMUNITY AND COMMUNITY SERVING ENTITIES.".

27 Page 5, strike lines 26 and 27.

28 Renumber succeeding subsections accordingly.

29 Page 6, strike lines 5 through 10.

30 Renumber succeeding subsections accordingly.

31 Page 6, strike lines 20 through 27.

- 1 Page 7 strike lines 1 through 4.
- 2 Renumber succeeding subsections accordingly.
- 3 Page 7, line 14, after "WATER," insert "SOCIAL SERVICES,".
- 4 Page 7, line 19, strike "PATTERNS" and substitute "PATTERNS,".
- 5 Page 7, strike lines 25 through 27 and substitute:

6 "(14) "REGULATED AFFORDABLE HOUSING" MEANS AFFORDABLE  
7 HOUSING THAT:

8 (a) HAS RECEIVED LOANS, GRANTS, EQUITY, BONDS, OR TAX  
9 CREDITS FROM ANY SOURCE TO SUPPORT THE CREATION, PRESERVATION,  
10 OR REHABILITATION OF AFFORDABLE HOUSING THAT, AS A CONDITION OF  
11 FUNDING, ENCUMBERS THE PROPERTY WITH A RESTRICTED USE COVENANT  
12 OR SIMILAR RECORDED AGREEMENT TO ENSURE AFFORDABILITY, OR HAS  
13 BEEN INCOME-RESTRICTED UNDER A LOCAL INCLUSIONARY ZONING  
14 ORDINANCE OR OTHER REGULATION OR PROGRAM;

15 (b) RESTRICTS OR LIMITS MAXIMUM RENTAL OR SALE PRICE FOR  
16 HOUSEHOLDS OF A GIVEN SIZE AT A GIVEN AREA MEDIAN INCOME, AS  
17 ESTABLISHED ANNUALLY BY THE UNITED STATES DEPARTMENT OF  
18 HOUSING AND URBAN DEVELOPMENT; AND

19 (c) ENSURES OCCUPANCY BY LOW- TO MODERATE-INCOME  
20 HOUSEHOLDS FOR A SPECIFIED PERIOD DETAILED IN A RESTRICTIVE USE  
21 COVENANT OR SIMILAR RECORDED AGREEMENT.".

22 Page 8, strike lines 1 through 3.

23 Page 8, after line 5 insert:

24 "(16) "SUPPORTIVE HOUSING" OR "SUPPORTIVE UNIT" MEANS A  
25 COMBINATION OF HOUSING AND SERVICES INTENDED AS A COST-EFFECTIVE  
26 WAY TO HELP PEOPLE LIVE MORE STABLE, PRODUCTIVE LIVES, AND  
27 TYPICALLY COMBINES AFFORDABLE HOUSING WITH INTENSIVE  
28 COORDINATED SERVICES TO HELP PEOPLE MAINTAIN STABLE HOUSING AND  
29 RECEIVE APPROPRIATE HEALTH CARE.

30 (17) "UNIVERSAL DESIGN" MEANS ANY DWELLING UNIT DESIGNED  
31 AND CONSTRUCTED TO BE SAFE AND ACCESSIBLE FOR ANY INDIVIDUAL  
32 REGARDLESS OF AGE OR ABILITIES.

33 (18) "VISITABLE HOUSING" OR "VISITABLE UNIT" MEANS A  
34 DWELLING UNIT THAT A PERSON WITH A DISABILITY CAN ENTER, MOVE  
35 AROUND THE PRIMARY ENTRANCE FLOOR OF, AND USE THE BATHROOM

1 IN.".

2 Page 8, line 16, strike "COST-EFFECTIVE AND".

3 Page 8, line 21, after "HOMELESSNESS" insert "RESOLUTION AND".

4 Page 9, line 7, after "INCLUDING" insert "ACCESSIBLE, VISITABLE,".

5 Page 9, strike lines 12 through 14 and substitute:

6 "(c) THE METHODOLOGY FOR CONDUCTING A REGIONAL HOUSING  
7 NEEDS ASSESSMENT MUST INCLUDE METHODS FOR A REGIONAL ENTITY  
8 TO:".

9 Page 10, strike lines 2 and 3 and substitute "ON THE NUMBER OF JOBS AND  
10 EACH LOCAL GOVERNMENT'S DEPENDENCE ON JOBS IN THE REGION, AMONG  
11 OTHER FACTORS, TO PROMOTE A BALANCE OF JOBS AT ALL SALARY LEVELS  
12 AND HOMES AFFORDABLE TO PERSONS IN THE REGION HOLDING JOBS AT  
13 ALL INCOME LEVELS".

14 Page 10, line 14, after "METHODS" insert "AND ACCEPTABLE PUBLICLY  
15 AVAILABLE DATA SOURCES".

16 Page 10, line 20, after "ACCESSIBLE UNITS," insert "VISITABLE UNITS,".

17 Page 11, strike lines 2 through 4, and substitute "JOBS AND EACH LOCAL  
18 GOVERNMENT'S DEPENDENCE ON JOBS IN THE REGION, AMONG OTHER  
19 FACTORS, TO PROMOTE A BALANCE OF JOBS AT ALL SALARY LEVELS AND  
20 HOMES AFFORDABLE TO PERSONS IN THE REGION HOLDING JOBS AT ALL  
21 INCOME LEVELS;".

22 Page 11, line 10, strike "FOR-SALE MULTIFAMILY RESIDENTIAL".

23 Page 11, line 12, strike "A".

24 Page 11, line 13, after "FOLLOWING" insert "BASELINE".

25 Page 12, strike lines 7 through 27, and substitute "DEVELOP GUIDANCE  
26 FOR REGIONS AND LOCAL GOVERNMENTS TO CONDUCT A DISPLACEMENT  
27 RISK ASSESSMENT. IN DEVELOPING THE GUIDANCE, THE DEPARTMENT  
28 SHALL INCLUDE METHODS, WITH VARIATIONS FOR DIFFERENT LOCAL  
29 CONTEXTS INCLUDING THE SIZE AND RESOURCE LEVELS OF LOCAL  
30 GOVERNMENTS, FOR LOCAL GOVERNMENTS TO USE TO:

- 24 Relettter succeeding paragraph accordingly.
- 25 Page 13, strike lines 5 through 10.
- 26 Renumber succeeding subsection accordingly.
- 27 Page 13, line 11, after "METHODOLOGY" insert "OR GUIDANCE"
- 28 Page 13, line 14, strike "STATE LAW." and substitute "FEDERAL
- 29 LAW OR REGULATION."
- 30 Page 14, line 5, after "ASSESSMENT" insert "NO LESS OFTEN THA

31 Page 14, line 14, after "DEPARTMENT." insert "THE DEPARTMENT SHALL  
32 NOT ACCEPT A HOUSING NEEDS ASSESSMENT FROM A LOCAL GOVERNMENT  
33 THAT DOES NOT INCLUDE THE ELEMENTS LISTED IN SECTION 24-32-3702  
34 (1)(d)(I) THROUGH (VI) AND DEMONSTRATE CONSIDERATION OF THE  
35 BASELINE COMPONENTS LISTED IN SECTION 24-32-3702 (2). THE  
36 DEPARTMENT SHALL NOTIFY A LOCAL GOVERNMENT IF IT DOES NOT

- 1   ACCEPT AN ASSESSMENT.".
- 2   Page 14, line 22, after "UPDATED" insert "NO LESS THAN".
- 3   Page 15, line 10, after "ASSESSMENT" insert "THAT CONFORMS TO THE  
4   METHODOLOGY FOR CONDUCTING REGIONAL HOUSING NEEDS  
5   ASSESSMENTS DEVELOPED BY THE DIRECTOR PURSUANT TO SECTION  
6   24-32-3702 (1)(c)".
- 7   Page 15, line 24, after "DEPARTMENT." insert "THE DEPARTMENT SHALL  
8   NOT ACCEPT A HOUSING NEEDS ASSESSMENT FROM A REGIONAL ENTITY  
9   THAT DOES NOT INCLUDE THE ELEMENTS LISTED IN SECTION 24-32-3702  
10   (1)(c)(I) THROUGH (VI) AND DEMONSTRATE CONSIDERATION OF THE  
11   BASELINE COMPONENTS LISTED IN SECTION 24-32-3702 (2). THE  
12   DEPARTMENT SHALL NOTIFY A REGIONAL ENTITY IF IT DOES NOT ACCEPT  
13   AN ASSESSMENT.".
- 14   Page 16, strike line 5 and substitute "PLAN MUST BE RESPONSIVE TO AN  
15   ACCEPTED HOUSING NEEDS ASSESSMENT AND DEMONSTRATE THE LOCAL".
- 16   Page 16, line 14, strike "DISPLACEMENT." and substitute "DISPLACEMENT  
17   AND CONSIDERATION FOR PARTICIPATION BY PERSONS UNABLE TO ATTEND  
18   MEETINGS IN PERSON OR AT THE LOCAL GOVERNMENT'S REGULAR MEETING  
19   TIMES.".
- 20   Page 16, line 22, strike "FOLLOWING:" and substitute "FOLLOWING  
21   COMPONENTS:".
- 22   Page 17, line 1, strike "FIVE" and substitute "SIX".
- 23   Page 17, line 19, strike "DEVELOPMENT," and substitute "DEVELOPMENT  
24   AND REGULATED AFFORDABLE HOUSING,".
- 25   Page 17, strike lines 20 through 22, and substitute "TWO STRATEGIES  
26   INCLUDED IN THE STANDARD AFFORDABILITY STRATEGIES DIRECTORY  
27   DESCRIBED IN SECTION 24-32-3706 (1) AND ONE STRATEGY INCLUDED IN  
28   THE LONG-TERM AFFORDABILITY STRATEGIES DIRECTORY DESCRIBED IN  
29   SECTION 24-32-3706 (2) THAT ARE SELECTED TO ADDRESS THE  
30   DEMONSTRATED HOUSING NEEDS".
- 31   Page 18, strike lines 2 and 3, and substitute "MITIGATION STRATEGY  
32   INCLUDED IN THE DISPLACEMENT RISK MITIGATION STRATEGIES  
33   DIRECTORY DESCRIBED IN SECTION 24-32-3706 (4) THAT THE".

1 Page 18, line 8, strike "(3)(d)" and substitute "(3)(e)".

2 Page 18, line 16, strike "AND".

3 Page 18, after line 16 insert:

4 "j) A NARRATIVE DESCRIPTION OF THE PUBLIC OUTREACH AND  
5 ENGAGEMENT PROCESS FOR THE HOUSING ACTION PLAN; AND".

6 Reletter succeeding paragraph.

7 Page 18, line 26, after "GOVERNMENT." insert "THE DEPARTMENT SHALL  
8 NOT ACCEPT A HOUSING ACTION PLAN THAT DOES NOT INCLUDE THE  
9 COMPONENTS REQUIRED BY SECTION 24-32-3705 (3). THE DEPARTMENT  
10 SHALL NOTIFY A LOCAL GOVERNMENT IF IT DOES NOT ACCEPT A HOUSING  
11 ACTION PLAN.".

12 Page 19, line 18, after "SECTION." insert "THE DEPARTMENT SHALL NOT  
13 ACCEPT ANY UPDATE THAT WOULD RESULT IN A HOUSING ACTION PLAN  
14 THAT DOES NOT INCLUDE THE COMPONENTS REQUIRED BY SECTION  
15 24-32-3705 (3). THE DEPARTMENT SHALL NOTIFY THE LOCAL  
16 GOVERNMENT IF IT DOES NOT ACCEPT AN UPDATE.".

17 Page 19, strike lines 23 through 27, and substitute **"displacement impact mitigation.** (1) NO LATER THAN JUNE 30, 2025, THE DEPARTMENT SHALL  
18 DEVELOP A STANDARD AFFORDABILITY STRATEGIES DIRECTORY THAT  
19 INCLUDES THE FOLLOWING STRATEGIES:

21 (a) IMPLEMENTING A LOCAL INCLUSIONARY ZONING ORDINANCE  
22 THAT CONSIDERS LOCAL HOUSING MARKET CONDITIONS THAT IS CRAFTED  
23 TO MAXIMIZE AFFORDABLE HOUSING PRODUCTION AND COMPLIES WITH  
24 THE REQUIREMENTS OF SECTION 29-20-104 (1)(e.5) AND (1)(e.7);

25 (b) ADOPTING A LOCAL LAW OR PLAN TO LEVERAGE PUBLICLY  
26 OWNED, SOLD, OR MANAGED LAND FOR REGULATED AFFORDABLE HOUSING  
27 DEVELOPMENT;

28 (c) CREATING OR EXPANDING A PROGRAM TO SUBSIDIZE OR  
29 OTHERWISE REDUCE IMPACT FEES OR OTHER SIMILAR DEVELOPMENT  
30 CHARGES FOR REGULATED AFFORDABLE HOUSING DEVELOPMENT;

31 (d) ESTABLISHING A DENSITY BONUS PROGRAM THAT GRANTS  
32 INCREASED FLOOR AREA RATIO, DENSITY, OR HEIGHT OF REGULATED  
33 AFFORDABLE HOUSING UNITS;

34 (e) CREATING A PROGRAM TO PRIORITIZE AND EXPEDITE  
35 DEVELOPMENT APPROVALS FOR REGULATED AFFORDABLE HOUSING  
36 DEVELOPMENT;

9 (g) ENACTING LOCAL LAWS THAT INCENTIVIZE THE CONSTRUCTION  
10 OF ACCESSIBLE AND VISITABLE AFFORDABLE HOUSING UNITS; AND

11 (h) ANY OTHER STRATEGY DESIGNATED BY THE DEPARTMENT  
12 THAT OFFERS A COMPARABLE IMPACT ON LOCAL HOUSING AFFORDABILITY.

16 (a) ESTABLISHING A DEDICATED LOCAL REVENUE SOURCE FOR  
17 REGULATED AFFORDABLE HOUSING DEVELOPMENT, SUCH AS INSTITUTING  
18 A LINKAGE FEE ON NEW, REGULATED AFFORDABLE HOUSING  
19 DEVELOPMENTS;

20 (b) REGULATING SHORT-TERM RENTALS, SECOND HOMES, OR  
21 OTHER UNDERUTILIZED OR VACANT UNITS IN A WAY, SUCH AS VACANCY  
22 FEES FOR UNDERUTILIZED UNITS, THAT PROMOTES MAXIMIZING THE USE OF  
23 LOCAL HOUSING STOCK FOR LOCAL HOUSING NEEDS;

24 (c) MAKING A COMMITMENT TO AND REMAINING ELIGIBLE TO  
25 RECEIVE FUNDING PURSUANT TO ARTICLE 32 OF THIS TITLE 29;

26 (d) INCENTIVIZING OR CREATING A DEDICATED LOCAL PROGRAM  
27 THAT FACILITATES INVESTMENT IN LAND BANKING OR COMMUNITY LAND  
28 TRUSTS;

29 (e) ESTABLISHING AN AFFORDABLE HOMEOWNERSHIP STRATEGY  
30 SUCH AS:

31 (I) ACQUIRING OR PRESERVING DEED RESTRICTIONS ON CURRENT  
32 HOUSING UNITS;

33 (II) ESTABLISHING AN INCENTIVE PROGRAM TO ENCOURAGE  
34 REALTORS TO WORK WITH LOW-INCOME AND MINORITY PROSPECTIVE  
35 HOME BUYERS; OR

36 (III) ESTABLISHING AN AFFORDABLE RENT-TO-OWN PROGRAM;  
37 AND

38 (f) ANY OTHER STRATEGY DESIGNATED BY THE DEPARTMENT THAT  
39 OFFERS A COMPARABLE IMPACT ON LOCAL HOUSING AFFORDABILITY.

1 AFFORDABILITY STRATEGY FOR PURPOSES OF THIS SECTION, SO LONG AS  
2 THE LOCAL LAW SUPPORTS EQUAL OR GREATER HOUSING AFFORDABILITY  
3 AND ACCESSIBILITY THAN THE STRATEGIES DESCRIBED IN SUBSECTIONS (1)  
4 AND (2) OF THIS SECTION.

5 (4) NO LATER THAN JUNE 30, 2025, THE DEPARTMENT SHALL  
6 DEVELOP A DISPLACEMENT RISK MITIGATION STRATEGIES DIRECTORY. THE  
7 DIRECTORY MUST INCLUDE THE FOLLOWING STRATEGIES:

8 (a) CREATING A LOCALLY FUNDED AND ADMINISTERED RENTAL  
9 AND MORTGAGE ASSISTANCE PROGRAM;

10 (b) CREATING AN EVICTION AND FORECLOSURE NO-COST LEGAL  
11 REPRESENTATION PROGRAM;

12 (c) ESTABLISHING A HOUSING COUNSELING AND NAVIGATION  
13 PROGRAM;

14 (d) CREATING A PROPERTY TAX AND DOWN PAYMENT ASSISTANCE  
15 PROGRAM;

16 (e) DEVELOPING A PROGRAM TO OFFER TECHNICAL ASSISTANCE  
17 AND FINANCIAL SUPPORT FOR COMMUNITY ORGANIZATIONS TO DEVELOP  
18 INDEPENDENT COMMUNITY LAND TRUSTS;

19 (f) PRIORITIZING LOCAL MONEY TOWARD REGULATED AFFORDABLE  
20 HOUSING UNIT PRESERVATION OR IMPLEMENTING OR CONTINUING DEED  
21 RESTRICTIONS FOR AFFORDABLE HOUSING UNITS;

22 (g) IDENTIFYING PARTNERSHIPS WITH REGIONAL AND NONPROFIT  
23 ENTITIES TO IMPLEMENT STRATEGIES; AND

24 (h) OTHER STRATEGIES IDENTIFIED BY THE DEPARTMENT THAT  
25 PROVIDE DISPLACEMENT MITIGATION THAT IS EQUIVALENT TO THE OTHER  
26 STRATEGIES DESCRIBED IN THIS SUBSECTION (4).".

27 Strike pages 20 through 23.

28 Page 24, strike lines 1 through 5.

29 Page 26, after line 3 insert:

30 (c) CONDUCTING A DISPLACEMENT RISK ANALYSIS WITH A  
31 STATE-CREATED TOOL;

32 (d) IDENTIFYING AND IMPLEMENTING STRATEGIES, INCLUDING IN  
33 THE DIRECTORIES DESCRIBED IN SECTION 24-32-3706;".

34 Reletter succeeding paragraphs accordingly.

35 Page 26, line 6, after "POLICIES" insert "PURSUANT TO ACCEPTED HOUSING  
36 NEEDS ASSESSMENTS AND ACCEPTED HOUSING ACTION PLANS".

1 Page 26, line 7, strike "TYPES" and substitute "TYPES, INCLUDING  
2 REGULATED AFFORDABLE HOUSING,".

3 Page 27, line 27, after "COORDINATION" insert "OR DISPUTES".

4 Page 28, line 1, strike "USES," insert "INCLUDING REGULATED  
5 AFFORDABLE HOUSING USES,".

6 Strike "PRIORITIES" and substitute "OPPORTUNITIES" on: **Page 31**, line 11;  
7 and **Page 39**, line 14.

8 After "WATER" insert "SUPPLY" on: **Page 29**, line 16; **Page 32**, line 23;  
9 **Page 37**, line 22; **Page 41**, line 5; and **Page 46**, line 1.

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