

First Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 21-0310.01 Bob Lackner x4350

HOUSE BILL 21-1028

HOUSE SPONSORSHIP

Bird and Rich,

SENATE SPONSORSHIP

Story and Woodward,

House Committees

Transportation & Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE PREPARATION BY THE DIVISION OF HOUSING WITHIN**
102 **THE DEPARTMENT OF LOCAL AFFAIRS OF AN ANNUAL PUBLIC**
103 **REPORT THAT PROVIDES INFORMATION ON MONEY**
104 **ADMINISTERED BY THE STATE TO PROMOTE THE PROVISION OF**
105 **AFFORDABLE HOUSING.**

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>.)

Not later than October 1, 2021, and not later than October 1 of each year thereafter, the bill requires the division of housing (division) in

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.

the department of local affairs to prepare a public report that specifies the total amount of money that:

- The division or the state housing board (board) received from any federal, state, other public, or any private source during the prior fiscal year; and
- The division or the board expended from state funding during the prior fiscal year to make an award in the form of a grant or loan to promote the provision of affordable housing.

The bill identifies various items the report must address. The report shall be posted on the division's website and shared with the board and the general assembly.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 24-32-705.5 as
3 follows:

4 **24-32-705.5. Annual public report on affordable housing**
5 **funding - definition.** (1) NOT LATER THAN OCTOBER 1, 2021, AND NOT
6 LATER THAN OCTOBER 1 OF EACH YEAR THEREAFTER, IN ACCORDANCE
7 WITH THIS SECTION, THE DIVISION SHALL PREPARE A PUBLIC REPORT THAT
8 SPECIFIES THE TOTAL AMOUNT OF MONEY THAT:

9 (a) THE DIVISION OR THE BOARD RECEIVED FROM ANY FEDERAL,
10 STATE, OTHER PUBLIC, OR ANY PRIVATE SOURCE DURING THE PRIOR FISCAL
11 YEAR; AND

12 (b) THE DIVISION OR THE BOARD HAS AWARDED FROM FEDERAL
13 AND STATE FUNDING DURING THE PRIOR FISCAL YEAR IN THE FORM OF A
14 GRANT OR LOAN TO PROMOTE THE PROVISION OF AFFORDABLE HOUSING.

15 (2) WITH RESPECT TO ANY FUNDING AWARD MADE BY THE
16 DIVISION OR THE BOARD TO PROMOTE THE PROVISION OF AFFORDABLE
17 HOUSING IN THE FORM OF A GRANT OR LOAN, THE REPORT MUST IDENTIFY
18 THE:

19 (a) RECIPIENT OF THE AWARD;

1 (b) NAME OF THE PROJECT BEING FUNDED BY THE AWARD;

2 (c) SOURCE OF THE AWARD FUNDING FOR THE PROJECT;

3 (d) AMOUNT OF AWARD FUNDING THAT WAS REQUESTED FOR THE
4 PROJECT IDENTIFIED;

5 (e) AMOUNT OF FUNDING AWARDED THROUGH THE GRANT OR
6 LOAN;

7 (f) TOTAL COST OF THE ENTIRE PROJECT BEING FUNDED BY THE
8 AWARD;

9 (g) MUNICIPALITY AND COUNTY IN WHICH THE PROJECT BEING
10 FUNDED BY THE AWARD IS LOCATED;

11 (h) TYPE OF HOUSING SOLUTION BEING FUNDED BY THE AWARD,
12 SUCH AS HOMEOWNERSHIP, RENTAL, PERMANENT SUPPORTIVE HOUSING,
13 OR RAPID REHOUSING;

14 (i) PURPOSE OF THE AWARD, SUCH AS NEW CONSTRUCTION OF
15 HOUSING STOCK, REHABILITATION OF EXISTING HOUSING STOCK, DOWN
16 PAYMENT ASSISTANCE, LAND ACQUISITION, PERMANENT SUPPORTIVE
17 HOUSING, REPAIRS OF OWNER-OCCUPIED HOUSING, RENTAL ASSISTANCE,
18 SUBSIDIES, VOUCHERS, OR SUPPORTIVE SERVICES; AND

19 (j) NUMBER OF HOUSING UNITS BUILT, ACQUIRED, REHABILITATED,
20 OR PRESERVED BY THE AWARD AS WELL AS THE NUMBER OF LOANS OR
21 VOUCHERS SUPPORTED BY THE AWARD.

22 (3) EACH REPORT MUST ALSO PROVIDE A COMPREHENSIVE
23 ANALYSIS OF THE SOURCE AND AMOUNT OF ALL AWARD FUNDING,
24 INCLUDING ANY RESTRICTIONS APPLICABLE TO SUCH FUNDING, RECEIVED
25 BY THE DIVISION THAT IS DERIVED FROM:

26 (a) FEDERAL SOURCES;

27 (b) STATE SOURCES; AND

1 (c) ANY OTHER PUBLIC OR PRIVATE FUNDING SOURCES.

2 (4) THE DIVISION SHALL POST THE MOST RECENT VERSION OF THE
3 ANNUAL PUBLIC REPORT IT HAS PREPARED AS REQUIRED UNDER
4 SUBSECTION (1) OF THIS SECTION IN A PROMINENT PLACE ON THE
5 DIVISION'S WEBSITE. IN ADDITION, ON AN ANNUAL BASIS, THE DIVISION
6 SHALL DELIVER A COPY OF THE MOST RECENT VERSION OF THE REPORT TO
7 THE BOARD AS WELL AS TO THE COMMITTEE IN EACH CHAMBER OF THE
8 GENERAL ASSEMBLY THAT EXERCISES JURISDICTION OVER HOUSING
9 MATTERS.

10 (5) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE
11 REQUIREMENT TO SUBMIT THE REPORT REQUIRED BY SUBSECTION (1) OF
12 THIS SECTION CONTINUES INDEFINITELY.

13 (6) AS USED IN THIS SECTION, "STATE FUNDING" MEANS ANY STATE
14 MONEY RECEIVED BY THE DIVISION OR THE BOARD FOR THE PROVISION OF
15 AFFORDABLE HOUSING, INCLUDING MONEY RECEIVED FROM THE HOUSING
16 DEVELOPMENT GRANT FUND CREATED IN SECTION 24-32-721 (1), THE
17 MARIJUANA TAX CASH FUND CREATED IN SECTION 39-28.8-501 (1), OR ANY
18 OTHER SOURCE OF STATE MONEY USED FOR SUCH PURPOSE EITHER IN
19 EXISTENCE AS OF THE EFFECTIVE DATE OF THIS SECTION OR THAT MAY BE
20 CREATED ON OR AFTER SUCH DATE.

21 **SECTION 2.** In Colorado Revised Statutes, 24-32-705, **add**
22 (1)(v) as follows:

23 **24-32-705. Functions of division.** (1) The division has the
24 following functions:

25 (v) TO PREPARE AN ANNUAL PUBLIC REPORT ON AFFORDABLE
26 HOUSING FUNDING IN ACCORDANCE WITH SECTION 24-32-705.5 AND TO
27 SATISFY OTHER REQUIREMENTS IN SECTION 24-32-705.5 PERTAINING TO

1 THE PREPARATION AND DISSEMINATION OF THE REPORT. IN ITS
2 PRESENTATION TO THE JOINT COMMITTEES OF REFERENCE PURSUANT TO
3 SECTION 2-7-203, THE DEPARTMENT SHALL SUMMARIZE THE INFORMATION
4 CONTAINED IN THE REPORT CONCERNING AFFORDABLE HOUSING FUNDING
5 ADMINISTERED BY THE DIVISION SINCE THE DEPARTMENT'S PRIOR
6 PRESENTATION.

7 **SECTION 3. Act subject to petition - effective date.** This act
8 takes effect at 12:01 a.m. on the day following the expiration of the
9 ninety-day period after final adjournment of the general assembly; except
10 that, if a referendum petition is filed pursuant to section 1 (3) of article V
11 of the state constitution against this act or an item, section, or part of this
12 act within such period, then the act, item, section, or part will not take
13 effect unless approved by the people at the general election to be held in
14 November 2022 and, in such case, will take effect on the date of the
15 official declaration of the vote thereon by the governor.