

Amendment No. 30

Senate Amendment to Senate Bill No. 104	(BDR 25-378)
Proposed by: Senate Committee on Government Affairs	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

SJQ/AAK



Date: 4/2/2019

S.B. No. 104—Revises provisions concerning the statewide low-income housing database maintained by the Housing Division of the Department of Business and Industry. (BDR 25-378)



SENATE BILL NO. 104—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE COMMITTEE TO STUDY
ISSUES REGARDING AFFORDABLE HOUSING)

PREFILED JANUARY 28, 2019

Referred to Committee on Government Affairs

SUMMARY—Revises provisions concerning the statewide low-income housing database maintained by the Housing Division of the Department of Business and Industry. (BDR 25-378)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to housing; requiring the inclusion of certain reports as sources of information for the statewide low-income housing database maintained by the Housing Division of the Department of Business and Industry; requiring owners of certain multifamily residential housing to report certain information quarterly to the Housing Division; requiring certain local governments to cooperate with the Housing Division in providing certain information related to affordable housing; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Housing Division of the Department of Business and Industry to create and maintain a statewide low-income housing database. This database must include certain information related to affordable housing, including the compilations and analysis of demographic, economic and housing data from a variety of sources. (NRS 319.143) Existing law also requires that the governing bodies of certain local governments submit to the Housing Division annual reports with information related to affordable housing. (NRS 278.235) **Section 1** of this bill requires the inclusion of such reports as one of the sources of information for the low-income housing database. **Section 2** of this bill requires the governing bodies of local governments that are required to submit such reports to cooperate with the Housing Division to ensure that the information is appropriate for inclusion in the database and can be added to the database effectively.

Existing law requires certain owners of residential housing that is affordable housing or accessible to persons with disabilities to report certain information relating to the housing quarterly to the Aging and Disability Services Division of the Department of Health and Human Services. (NRS 319.267) Section 2.5 of this bill repeals this requirement. Section 1 imposes a similar requirement on certain owners of multifamily residential housing. Section 1 requires certain owners of multifamily residential housing that is affordable housing and accessible to persons with disabilities to report certain information relating to the housing quarterly to the Housing Division.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 319.143 is hereby amended to read as follows:

319.143 1. The Division shall create and maintain a statewide low-income housing database.

2. The database must include, without limitation, the compilation and analysis of demographic, economic and housing data from a variety of sources , *including, without limitation, reports submitted pursuant to NRS 278.235*, that:

(a) Provides for an annual assessment of the affordable housing market at the city and county level, including data relating to housing units, age of housing, rental rates and rental vacancy rates, new home sales and resale of homes, new construction permits, mobile homes, lots available for mobile homes and conversions of multifamily condominiums;

(b) Addresses the housing needs of various population groups in Nevada, such as households that rent, homeowners, elderly households, veterans, persons with disabilities or special needs, homeless persons, recovering drug abusers, persons suffering from mental health ailments and victims of domestic violence, with each group distinguished to show the percentage of the population group at different income levels, and a determination of the number of households within each special-needs group experiencing housing costs greater than 50 percent of their income, overcrowding or substandard housing;

(c) Contains an estimate of the number and condition of subsidized and other low-income housing units at the county level and the identification of any subsidized units that are forecast to convert to market-rate units within a 2-year planning period;

(d) Provides a demographic and economic overview by local and county jurisdiction, if feasible, for the population of Nevada, including age, race and ethnicity, household size, migration, current and forecast employment, household income and a summary relating to the effects of demographics and economic factors on housing demand;

(e) Provides the number of housing units available to a victim of domestic violence from any housing authority, as defined in NRS 315.021, and from participation in the program of housing assistance pursuant to section 8 of the United States Housing Act of 1937, 42 U.S.C. § 1437f; and

(f) Provides the number of terminations of victims of domestic violence in this State from the program of housing assistance pursuant to section 8 of the United States Housing Act of 1937, 42 U.S.C. § 1437f.

3. The costs of creating and maintaining the database:

(a) Must be paid from the Account for Low-Income Housing created by NRS 319.500; and

(b) May not exceed \$175,000 per year.

4. If an owner of multifamily residential housing that is offered for rent or lease in this State and is:

(a) Accessible to persons with disabilities; and

(b) Affordable housing, as defined in NRS 278.0105,

→ has received any loan, grant or contribution for the multifamily residential housing from the Federal Government or the State, the owner shall, not less than quarterly, report to the Division information concerning each unit of the multifamily residential housing that is available and suitable for use by a person with a disability.

5. The Division shall adopt regulations to carry out the provisions of subsection 4.

Sec. 2. NRS 278.235 is hereby amended to read as follows:

278.235 1. If the governing body of a city or county is required to include the housing element in its master plan pursuant to NRS 278.150, the governing body, in carrying out the plan for maintaining and developing affordable housing to meet the housing needs of the community, which is required to be included in the housing element pursuant to subparagraph (8) of paragraph (c) of subsection 1 of NRS 278.160, shall adopt at least six of the following measures:

(a) At the expense of the city or county, as applicable, subsidizing in whole or in part impact fees and fees for the issuance of building permits collected pursuant to NRS 278.580.

(b) Selling land owned by the city or county, as applicable, to developers exclusively for the development of affordable housing at not more than 10 percent of the appraised value of the land, and requiring that any such savings, subsidy or reduction in price be passed on to the purchaser of housing in such a development. Nothing in this paragraph authorizes a city or county to obtain land pursuant to the power of eminent domain for the purposes set forth in this paragraph.

(c) Donating land owned by the city or county to a nonprofit organization to be used for affordable housing.

(d) Leasing land by the city or county to be used for affordable housing.

(e) Requesting to purchase land owned by the Federal Government at a discounted price for the creation of affordable housing pursuant to the provisions of section 7(b) of the Southern Nevada Public Land Management Act of 1998, Public Law 105-263.

(f) Establishing a trust fund for affordable housing that must be used for the acquisition, construction or rehabilitation of affordable housing.

(g) Establishing a process that expedites the approval of plans and specifications relating to maintaining and developing affordable housing.

(h) Providing money, support or density bonuses for affordable housing developments that are financed, wholly or in part, with low-income housing tax credits, private activity bonds or money from a governmental entity for affordable housing, including, without limitation, money received pursuant to 12 U.S.C. § 1701q and 42 U.S.C. § 8013.

(i) Providing financial incentives or density bonuses to promote appropriate transit-oriented housing developments that would include an affordable housing component.

(j) Offering density bonuses or other incentives to encourage the development of affordable housing.

(k) Providing direct financial assistance to qualified applicants for the purchase or rental of affordable housing.

(l) Providing money for supportive services necessary to enable persons with supportive housing needs to reside in affordable housing in accordance with a need for supportive housing identified in the 5-year consolidated plan adopted by the United States Department of Housing and Urban Development for the city or county pursuant to 42 U.S.C. § 12705 and described in 24 C.F.R. Part 91.

2. On or before January 15 of each year, the governing body shall submit to the Housing Division of the Department of Business and Industry a report, in the form prescribed by the *Housing* Division, of how the measures adopted pursuant to subsection 1 assisted the city or county in maintaining and developing affordable housing to meet the needs of the community for the preceding year. The report must include an analysis of the need for affordable housing within the city or county that exists at the end of the reporting period. *The governing body shall*

1 *cooperate with the Housing Division to ensure that the information contained in*
2 *the report is appropriate for inclusion in, and can be effectively incorporated into,*
3 *the statewide low-income housing database created pursuant to NRS 319.143.*

4 3. On or before February 15 of each year, the Housing Division shall compile
5 the reports submitted pursuant to subsection 2 and post the compilation on the
6 Internet website of the Housing Division.

7 *Sec. 2.5. NRS 319.267 is hereby repealed.*

8 *Sec. 3. This act becomes effective on July 1, 2019.*

TEXT OF REPEALED SECTION

319.267 Duty of certain owners of residential housing to submit quarterly report to Aging and Disability Services Division of Department of Health and Human Services.

1. If an owner of residential housing that is offered for rent or lease in this State and is:

(a) Accessible to persons with disabilities; or

(b) Affordable housing,

↪ has received any loan, grant or contribution for the residential housing from the Federal Government, the State or any public body, the owner shall, not less than quarterly, report to the Aging and Disability Services Division of the Department of Health and Human Services information concerning each unit of the residential housing that is available and suitable for use by a person with a disability.

2. The Department of Health and Human Services shall adopt regulations to carry out the provisions of this section.

3. As used in this section, "affordable housing" has the meaning ascribed to it in NRS 278.0105.