

Enrolled
House Bill 2256

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Governor Theodore R. Kulongoski for Housing and Community Services Department)

CHAPTER

AN ACT

Relating to State Housing Council review of Housing and Community Services Department transactions; amending ORS 456.555 and 456.561.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 456.555 is amended to read:

456.555. (1) The Housing and Community Services Department is established.

(2) The department shall be under the supervision and control of a director who is responsible for the performance of the duties imposed upon the department. The Governor shall appoint the Director of the Housing and Community Services Department. The director shall hold office at the pleasure of the Governor. The person appointed as director shall be a person who, by training and experience, is well qualified to perform the duties of the office.

(3) The director shall receive such salary as may be provided by law, or, if not so provided, as may be fixed by the Governor. In addition to the salary of the director, the director shall, subject to the limitations otherwise provided by law, be reimbursed for all expenses actually and necessarily incurred by the director in the performance of official duties.

(4) The director may establish department divisions including but not limited to divisions for administration, housing programs and community services programs.

(5) The State Housing Council shall:

(a) With the advice of the director, set policy and approve or disapprove rules and standards for housing programs;

(b) Approve or disapprove loans, grants and other funding award proposals under ORS 456.561; and

(c) Carry out the provisions of ORS 456.571.

(6) The Community Action Directors of Oregon shall advise the department and the council on community services programs as determined by the director and as set forth in ORS 458.505.

(7) The director shall report regularly to the council to keep the council informed on progress made by the department in carrying out the department's responsibilities for housing programs.

(8) The department may adopt rules to carry out the programs that the department is charged with administering, including, but not limited to, rules regarding:

(a) Administration and enforcement.

(b) Criteria for the granting of benefits.

(c) The establishment of fees and charges.

(d) The identification of housing programs and community services programs.

(e) The distinguishing of housing programs from community services programs.

(9) Subject to the approval of the council, the department shall establish by rule [a] **one or more** threshold property purchase [price] **prices** above which a [single-family home ownership] **housing** loan proposed by the department requires council review and approval under ORS 456.561. In establishing or modifying a threshold property purchase price under this subsection, the department shall consider any maximum acquisition cost set forth in the Internal Revenue Code or federal rules and regulations implementing the code.

(10) Subject to the approval of the council, the department shall establish by rule one or more threshold amounts above which a housing grant or other housing funding award proposal requires council review and approval under ORS 456.561.

SECTION 2. ORS 456.561 is amended to read:

456.561. (1) The Housing and Community Services Department may effect loans, grants and other funding awards to accomplish department housing programs, subject to any requirement under this section for review and approval by the State Housing Council of proposals for loans, grants or other funding awards.

(2) The department shall submit a loan, grant or other funding award proposal arising under ORS 456.515 to 456.725 programs to the council for review if the proposal is for:

(a) A [single-family home ownership] **housing** loan on property that has a purchase price in excess of [the] **an applicable** threshold property purchase price established by rule under ORS 456.555 (9); **or**

[b) A housing loan other than a single-family home ownership loan, if the loan amount exceeds \$100,000; or]

[c) A housing grant or other housing funding award, if the grant or funding award amount exceeds \$100,000.]

(b) A housing grant or other housing funding award in excess of an applicable threshold amount established by rule under ORS 456.555 (10).

(3) The council shall review each loan, grant or other funding award proposal submitted by the department under this section and approve or disapprove the loan, grant or other funding award proposal.

(4) Council review of loan, grant or other funding award proposals under this section shall be held at a public hearing of the council. The council meeting notice required by ORS 192.640 shall include notice of the loan, grant or other funding award proposal review, the names of the applicants and the subject of the loan, grant or funding award proposal. The council shall provide notice of a loan, grant or other funding award proposal review to the loan, grant or other funding award applicant not less than five days before the review hearing.

Passed by House February 17, 2009

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Chief Clerk of House

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Speaker of House

Passed by Senate March 31, 2009

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President of Senate

Received by Governor:

.....M,....., 2009

Approved:

.....M,....., 2009

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Governor

Filed in Office of Secretary of State:

.....M,....., 2009

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Secretary of State