

A-Engrossed
House Bill 2433

Ordered by the House April 24
Including House Amendments dated April 24

Sponsored by Representative PARRISH; Representative NEARMAN (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Directs Housing and Community Services Department to establish pilot program [*in which department constructs low-income senior housing development on school district land and school district rents to low-income seniors at reduced rent in exchange for classroom assistance*] **to provide housing for low-income seniors on school district property. Directs department to select one or more school districts to construct low-income senior housing development on property. Directs department to select one or more affordable housing providers to serve as property managers of low-income senior housing developments.**

Authorizes issuance of lottery bonds to finance construction of low-income senior housing development. Creates Low-Income Senior Housing Colocation Fund. Continuously appropriates moneys in fund to Housing and Community Services Department. Directs department to use moneys in fund to finance construction of low-income senior housing development.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to colocation of low-income senior housing on school district property; and declaring an
3 emergency.

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

5 **SECTION 1. (1) As used in this section:**

6 (a) **"Affordable housing provider" means an individual or entity that provides housing**
7 **that is affordable to individuals with qualifying incomes.**

8 (b) **"Dwelling" has the meaning given that term in 42 U.S.C. 3602.**

9 (c) **"Low-income senior" means an individual with an income at or below 150 percent of**
10 **the area median income and who is at least 55 years old.**

11 (d) **"Low-income senior housing development" means a dwelling or group of dwellings for**
12 **low-income seniors in which two or more residential units each have space for eating, living**
13 **and sleeping and permanent provisions for cooking and sanitation.**

14 (e) **"Senior tenant" means a low-income senior who resides in a low-income senior**
15 **housing development that is managed under the pilot program established by this section.**

16 (2) **The Housing and Community Services Department, working together with one or**
17 **more school districts, shall develop and implement a school district and low-income senior**
18 **housing colocation pilot program for the purpose of:**

19 (a) **Increasing the availability of affordable housing for low-income seniors; and**

20 (b) **Providing participating school districts with additional classroom assistants.**

21 (3) **Notwithstanding the provisions of any statewide land use planning goals or local**
22 **zoning or land use planning ordinances or regulations, the department shall adopt rules to**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 **implement the pilot program, including but not limited to:**

2 (a) **Selecting one or more school districts to build a low-income senior housing develop-**
3 **ment on school district property;**

4 (b) **Selecting one or more affordable housing providers to serve as property managers of**
5 **the low-income senior housing developments for the purpose of the pilot program;**

6 (c) **Establishing limits for the rent that may be charged for occupancy of a unit in the**
7 **low-income senior housing developments; and**

8 (d) **Developing a wait list for low-income senior applicants that gives preference to ap-**
9 **plicants who demonstrate adequate intent to assist in the classrooms of a participating**
10 **school district.**

11 (4)(a) **A school district may apply to the department to participate in the pilot program.**

12 (b) **An application submitted by a school district under this subsection must, at a mini-**
13 **mum, include:**

14 (A) **An estimate of additional staff and resources the school district will require to par-**
15 **ticipate in the pilot program; and**

16 (B) **A proposal for how the school district will use the low-income senior housing devel-**
17 **opment at the conclusion of the pilot program.**

18 (5) **An affordable housing provider selected by the department under subsection (3)(b) of**
19 **this section shall:**

20 (a) **Create an application process for low-income seniors to become senior tenants that**
21 **includes, at a minimum:**

22 (A) **Income verification; and**

23 (B) **An objective process for determining whether an applicant:**

24 (i) **Demonstrates adequate intent to assist in the classrooms of a participating school**
25 **district; and**

26 (ii) **Meets school district requirements to assist in school district classrooms;**

27 (b) **Encourage senior tenants to assist in the classrooms of a participating school district**
28 **in exchange for credit toward rent payment;**

29 (c) **Collect rent payments from senior tenants; and**

30 (d) **Develop a relocation plan to assist senior tenants to find new housing and relocate**
31 **at the conclusion of the pilot program.**

32 (6) **The department may use funds available pursuant to section 4 of this 2017 Act and**
33 **deposited in the Low-Income Senior Housing Colocation Fund established under section 5 of**
34 **this 2017 Act to develop and implement the pilot program established under this section.**

35 (7) **The pilot program established under this section is subject to the provisions of 42**
36 **U.S.C. 3602 et seq.**

37 **SECTION 2. (1) A school district may construct a low-income senior housing development**
38 **on land owned or held by the school district as part of the pilot program established by sec-**
39 **tion 1 of this 2017 Act, notwithstanding any state law relating to residential use of land, any**
40 **statewide land use planning goal or the administrative rules implementing the goal or any**
41 **local zoning or land use planning ordinance.**

42 (2) **As used in this section, “low-income senior housing development” has the meaning**
43 **given that term in section 1 of this 2017 Act.**

44 **SECTION 3. The Housing and Community Services Department shall report on the effi-**
45 **cacy of the pilot program established in section 1 of this 2017 Act, in the manner provided**

1 in ORS 192.245, to the committees of the Legislative Assembly related to housing and human
2 services at least once during each of three consecutive regular sessions of the Legislative
3 Assembly, beginning with the 2018 regular session of the Legislative Assembly.

4 **SECTION 4.** (1) For the biennium beginning July 1, 2017, at the request of the Oregon
5 Department of Administrative Services, in consultation with the Housing and Community
6 Services Department, the State Treasurer is authorized to issue lottery bonds pursuant to
7 ORS 286A.560 to 286A.585 in an amount that produces \$___ million in net proceeds and in-
8 terest earnings for the purpose described in subsection (2) of this section, plus an additional
9 amount estimated by the State Treasurer to be necessary to pay bond-related costs.

10 (2) Net proceeds of lottery bonds issued pursuant to this section must be transferred to
11 the Housing and Community Services Department for deposit in the Low-Income Senior
12 Housing Colocation Fund established in section 5 of this 2017 Act in an amount sufficient to
13 provide \$___ million for disbursement to the department to fund construction of a low-income
14 senior housing development as part of the pilot program established under section 1 of this
15 2017 Act.

16 (3) Bond-related costs incurred by the Housing and Community Services Department and
17 the State Treasurer for the lottery bonds authorized by this section must be paid from the
18 gross proceeds of the lottery bonds and from allocations for the purposes of ORS 286A.576
19 (1)(c).

20 (4) The Legislative Assembly finds that construction of a low-income senior housing de-
21 velopment as part of the pilot program established by section 1 of this 2017 Act will:

22 (a) Create jobs;

23 (b) Provide low-income seniors with affordable housing options; and

24 (c) Provide the school district selected to participate in the pilot program with additional
25 classroom assistants.

26 (5) The findings described in subsection (4) of this section will encourage and promote
27 economic development within the State of Oregon, and issuance of lottery bonds to finance
28 the agreement is therefore an appropriate use of state lottery funds under Article XV, sec-
29 tion 4, of the Oregon Constitution, and ORS 461.510.

30 **SECTION 5.** (1) The Low-Income Senior Housing Colocation Fund is established, separate
31 and distinct from the General Fund. The moneys in the Low-Income Senior Housing
32 Colocation Fund and the interest earnings on moneys in the fund are continuously appro-
33 priated to the Housing and Community Services Department for the purposes described in
34 subsection (2) of this section. The fund consists of moneys deposited in the fund under sec-
35 tion 4 of this 2017 Act, and may include other fees, revenues or other income transferred into
36 the fund by the Legislative Assembly for payment of costs incurred to establish the Low-
37 Income Senior Housing Colocation Fund.

38 (2) Moneys in the fund are available for immediate distribution to the Housing and
39 Community Services Department to:

40 (a) Pay the costs incurred to fund construction of a low-income senior housing develop-
41 ment as part of the pilot program established under section 1 of this 2017 Act.

42 (b) Pay bond-related costs, as defined in ORS 286A.560.

43 **SECTION 6.** Sections 1 to 5 of this 2017 Act are repealed on January 2, 2021.

44 **SECTION 7.** This 2017 Act being necessary for the immediate preservation of the public
45 peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect

1 **on its passage.**

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