

DRAFT

SUMMARY

Establishes Healthy Homes Program within the Oregon Health Authority to provide grants to entities to provide financial assistance to low income households and landlords.

Establishes Healthy Homes Repair Fund.

Establishes Interagency Task Force on Healthy Homes.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

Relating to healthy homes; and prescribing an effective date.

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

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

(a) **“Eligible entity” means a local government, local housing authority, nonprofit organization, federally recognized Indian tribe in this state, coordinated care organization as defined in ORS 414.025 or regional or statewide nonprofit housing assistance organization.**

(b) **“Environmental justice community” means a community identified by the Oregon Health Authority under section 3 of this 2021 Act.**

(c) **“Grant program recipient” means an eligible entity that has been awarded a grant from the authority under this section.**

(d) **“Landlord” means a landlord, as defined in ORS 90.100, that meets eligibility criteria for a loan, grant or other financial assistance under the Healthy Homes Program as determined by the authority.**

(e) **“Low income household” means a household having an income equal to or below 80 percent of the area median family income as determined by the authority.**

1 **(f) “Nonprofit organization” means an organization or group of or-**
2 **ganizations that is described in section 501(c)(3) of the Internal Reve-**
3 **nue Code and is exempt from income tax under section 501(a) of the**
4 **Internal Revenue Code.**

5 **(g) “Repair and rehabilitation” includes actions that:**

6 **(A) Maximize energy efficiency of residences;**

7 **(B) Extend the usable life of residences; or**

8 **(C) Improve the health and safety of the occupants of residences,**
9 **including:**

10 **(i) Radon abatement;**

11 **(ii) Lead abatement;**

12 **(iii) Installation of a smoke filtration system or an air purification**
13 **system or other actions to improve indoor air quality; and**

14 **(iv) Removal of asthma or allergen triggers.**

15 **(h) “Residence” means a single family residence that is intended for**
16 **occupation by a single family unit and is occupied by one or more in-**
17 **dividuals who are members of a low income household as the**
18 **individual’s principal residence, including a site-built home, manufac-**
19 **tured home, residential trailer, mobile home or condominium unit.**

20 **(i) “Smoke filtration system” means a residential air filtration sys-**
21 **tem that meets minimum efficiency standards, as determined by the**
22 **authority, for the removal of particulates and other harmful sub-**
23 **stances generated by wildfires.**

24 **(2) The Healthy Homes Program is established within the Oregon**
25 **Health Authority. The purpose of the program is to provide grants to**
26 **eligible entities that provide financial assistance to persons in low in-**
27 **come households to repair and rehabilitate their residences and to**
28 **landlords to repair and rehabilitate dwelling units.**

29 **(3) To be eligible to receive grants from the Healthy Homes Pro-**
30 **gram, an eligible entity must establish that it:**

31 **(a) Serves or represents communities with high concentrations of**

1 low income households or environmental justice communities;

2 (b) Has the capacity to administer grant funds received under this
3 section; and

4 (c) Is able to comply with the requirements of all state and federal
5 laws, rules and regulations.

6 (4)(a) The authority shall establish by rule processes for eligible
7 entities to apply to receive grants from the Healthy Homes Program.
8 The process may include a request for proposals.

9 (b) The authority may establish by rule the extent of the repair and
10 rehabilitation activities that may be funded by eligible entities under
11 the program.

12 (5) Upon being awarded a grant under this section, the grant pro-
13 gram recipient shall enter into an agreement with the authority that
14 contains provisions that:

15 (a) Indicate the purposes for which the grant funds may be used;

16 (b) Prohibit the grant program recipient from using more than 15
17 percent of grant funds for administrative expenses and program de-
18 livery costs;

19 (c) Include the repayment provisions set forth in subsection (6) of
20 this section;

21 (d) Permit the authority to conduct audits and investigations of the
22 grant program recipient regarding the purposes for which grant funds
23 have been used; and

24 (e) Require the grant program recipient to provide reports as set
25 forth in subsection (7) of this section.

26 (6) A grant program recipient must repay to the authority, in whole
27 or in part, grant funds received under this section to the extent that:

28 (a) The grant program recipient does not use the grant funds in
29 accordance with the provisions of the grant agreement executed be-
30 tween the authority and the grant program recipient under subsection
31 (5) of this section; or

(b) The Director of the Oregon Health Authority determines that the grant program recipient must repay all or part of the grant funds on grounds of misappropriation, fraud or similar reasons after auditing or investigating the grant program recipient's operations and conducting a contested case hearing under ORS 183.413 to 183.470.

(7) A grant program recipient shall report to the authority by June 30 of each year concerning the status and use of grant funds received under this section. The report required under this section may not disclose the personal information of the recipients of loans, grants or other financial assistance under the Healthy Homes Program. The report must include:

(a) A detailed description of the grant program recipient's use of grant funds;

(b) A list of each loan, grant or other financial assistance that the grant program recipient has provided and, where applicable, a full accounting of the repayment status of the loans;

(c) The number of low income households that the grant program recipient has provided financial assistance to for the repair and rehabilitation of their residences;

(d) The number of landlords that the grant program recipient has provided financial assistance to for the repair and rehabilitation of dwelling units.

(e) The nature and amounts of the administrative expenses and program delivery costs the grant program recipient has incurred in providing the financial assistance under the program;

(f) Aggregated data concerning the income, racial or ethnic background, family size and related demographic information of low income households who received financial assistance for repair and rehabilitation of residences under the program from the grant program recipient;

(g) Estimates for energy or health cost savings achieved by the

1 funded repair and rehabilitation actions; and

2 (h) Any other information required by the authority.

3 (8) The authority may not pay amounts for grants under this sec-
4 tion from any source other than available funds in the Healthy Homes
5 Repair Fund established in section 2 of this 2021 Act.

6 (9) Under the Healthy Homes Program, the authority may develop,
7 or contract with public institutions of higher education or nonprofit
8 organizations to assist in developing:

9 (a) Methods for evaluating health hazards in housing;

10 (b) Methods for preventing and reducing health hazards in housing;

11 (c) Measures of evaluating housing-related health impacts and the
12 long-term cost-effectiveness of methods used under paragraph (b) of
13 this subsection;

14 (d) Performance measures for the work being performed through
15 the financial assistance provided under the program; and

16 (e) Recommendations for promoting the incorporation of healthy
17 housing into ongoing practices and systems, including housing codes.

18 SECTION 2. (1) There is established in the State Treasury the
19 Healthy Homes Repair Fund, separate and distinct from the General
20 Fund. Interest earned by the Healthy Homes Repair Fund is credited
21 to the fund. The purpose of the fund is to:

22 (a) Fund grants to eligible entities under the Healthy Homes Pro-
23 gram established under section 1 of this 2021 Act; and

24 (b) Pay for the administrative expenses of the Oregon Health Au-
25 thority in establishing, implementing and administering the Healthy
26 Homes Program under section 1 of this 2021 Act.

27 (2) The fund consists of:

28 (a) Money appropriated to the fund by the Legislative Assembly;

29 (b) Grant funds repaid under section 1 (6) of this 2021 Act;

30 (c) Moneys transferred to the fund from the federal or state gov-
31 ernment;

1 (d) Application fees received under section 1 of this 2021 Act, if any;
2 and

3 (e) Gifts, grants and donations received from any source.

4 **SECTION 3.** (1) The Oregon Health Authority, by rule, shall design-
5 nate as environmental justice communities those communities in
6 Oregon at risk of being disproportionately impacted by climate change,
7 ocean acidification or environmental pollution. In carrying out this
8 section, the authority shall identify environmental justice communi-
9 ties based on a methodology that takes into consideration geographic,
10 socioeconomic, historic disadvantage, public health and environmental
11 hazard criteria. Environmental justice communities may include, but
12 are not limited to:

13 (a) Rural communities.

14 (b) Coastal communities.

15 (c) Tribal communities.

16 (d) Areas with above-average concentrations of low income house-
17 holds, historically disadvantaged households, high unemployment,
18 high linguistic isolation, low levels of homeownership, high rent bur-
19 den, sensitive populations or residents with low levels of educational
20 attainment.

21 (e) Areas disproportionately affected by environmental pollution
22 and other hazards that can lead to negative public health effects, ex-
23 posure or environmental degradation.

24 (2) The methodology required by this section must give greater
25 weight to those criteria that the authority determines are the most
26 accurate measurements of vulnerability to the impacts of climate
27 change, ocean acidification and environmental pollution.

28 (3) The authority shall review and update the methodology required
29 by this section and the designation of environmental justice commu-
30 nities at least once every five years.

31 **SECTION 4.** (1) The Interagency Task Force on Healthy Homes is

1 **established.**

2 **(2) The task force consists of:**

3 **(a) The Director of the Oregon Health Authority or the director's**
4 **designee;**

5 **(b) The Director of the Housing and Community Services Depart-**
6 **ment or the director's designee; and**

7 **(c) The Director of the Department of Environmental Quality or the**
8 **director's designee.**

9 **(3) The task force shall:**

10 **(a) Develop tools to compile and collect comprehensive information**
11 **on services, programs and other resources related to housing and**
12 **home-related health in this state.**

13 **(b) Share data, metrics and strategies for the deployment of pro-**
14 **grams to improve home-related health.**

15 **(c) Determine how best to leverage funds across programs and**
16 **agencies to maximize success and improved outcomes.**

17 **(d) Identify and consult with stakeholders who deploy programs to**
18 **improve home-related health, and recipients of these programs, to:**

19 **(A) Identify barriers to the deployment and success of programs to**
20 **improve the health and safety of homes;**

21 **(B) Identify potential solutions to identified barriers;**

22 **(C) Identify new measures to improve the health and safety of**
23 **homes; and**

24 **(D) Determine the extent to which renters are able to take advan-**
25 **tage of health and safety upgrades to homes.**

26 **(4) A majority of the members of the task force constitutes a quo-**
27 **rum for the transaction of business.**

28 **(5) Official action by the task force requires the approval of a ma-**
29 **jority of the members of the task force.**

30 **(6) The task force shall elect one of its members to serve as chair-**
31 **person.**

1 (7) The task force shall meet at times and places specified by the
2 call of the chairperson or of a majority of the members of the task
3 force.

4 (8) The task force may adopt rules necessary for the operation of
5 the task force.

6 (9)(a) The task force shall submit a report in the manner provided
7 in ORS 192.245 to the interim committees of the Legislative Assembly
8 related to housing, the Governor and the Environmental Justice Task
9 Force no later than September 15, 2022.

10 (b) A report submitted under this section must:

11 (A) Include data and metrics associated with program deployment,
12 including demographics, geographic access, and health and housing
13 outcomes;

14 (B) Identify barriers to program deployment and success and sol-
15 utions to those barriers; and

16 (C) Make recommendations for legislation to reduce barriers or ex-
17 pand program access and benefits.

18 (10) The Oregon Health Authority shall provide staff support to the
19 task force.

20 (11) Members of the task force are not entitled to compensation or
21 reimbursement for expenses and serve as volunteers on the task force.

22 (12) All agencies of state government, as defined in ORS 174.111, are
23 directed to assist the task force in the performance of the duties of the
24 task force and, to the extent permitted by laws relating to
25 confidentiality, to furnish information and advice the members of the
26 task force consider necessary to perform their duties.

27 SECTION 5. Section 4 of this 2021 Act is repealed on January 2, 2023.

28 SECTION 6. This 2021 Act takes effect on the 91st day after the date
29 on which the 2021 regular session of the Eighty-first Legislative As-
30 sembly adjourns sine die.