

SENATE AMENDMENTS TO RESOLVE CONFLICTS TO A-ENGROSSED HOUSE BILL 3309

By COMMITTEE ON RULES

June 23

1 On page 2 of the printed A-engrossed bill, delete lines 27 through 45 and delete page 3.

2 On page 4, delete lines 1 through 39 and insert:

3 “**SECTION 4.** ORS 456.555, as amended by section 3, chapter 193, Oregon Laws 2023 (Enrolled
4 Senate Bill 892), is amended to read:

5 “456.555. (1) The Housing and Community Services Department is established.

6 “(2) The department is supervised and controlled by a director who is responsible for the per-
7 formance of the duties imposed upon the department. The Governor shall appoint the Director of the
8 Housing and Community Services Department. The director shall hold office at the pleasure of the
9 Governor. The person appointed as director must be a person who, by training and experience, is
10 well qualified to perform the duties of the office.

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

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

17 “(5) The department shall consider advice on housing and community service programs from:

18 “(a) Persons who have experienced housing instability;

19 “(b) Tribes;

20 “(c) The Community Action Partnership of Oregon;

21 “(d) Continuums of care, as defined in 24 C.F.R. part 578;

22 “(e) Local governments;

23 “(f) Nonprofit organizations;

24 “(g) Homeless services providers;

25 “(h) Culturally specific organizations;

26 “(i) Housing providers;

27 “(j) Veterans’ services organizations; *and*

28 “**(k) Persons with disabilities and disability services or advocacy organizations; and**

29 “[*k*] **(L)** Other entities identified by the department by rule.

30 “(6) The director shall report regularly to the Oregon Housing Stability Council to keep the
31 council informed on progress made by the department in carrying out the department’s responsibil-
32 ities for housing programs.

33 “(7) The department shall administer federal programs. Federal funds for housing stabilization
34 must, to the extent consistent with federal law, be allocated statewide in a manner proportionate
35 to a needs-based and geographically based formula.

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

3 “(a) Administration and enforcement.

4 “(b) Criteria for the granting of benefits.

5 “(c) The establishment of fees and charges.

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

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

8 “(9) When a statute authorizes or requires that the department or the director adopt rules or
9 policies or administer programs, the director may, at any stage in the process, consult with or seek
10 the approval of the council.

11 “(10) The department shall establish by rule one or more threshold property purchase prices
12 above which a housing loan proposed by the department requires council review and approval under
13 ORS 456.561. In establishing or modifying a threshold property purchase price under this subsection,
14 the department shall consider any maximum acquisition cost set forth in the Internal Revenue Code
15 or federal rules and regulations implementing the code.

16 “(11) The department shall establish by rule one or more threshold amounts above which a
17 housing grant or other housing funding award proposal requires council review and approval under
18 ORS 456.561.

19 “**SECTION 5.** ORS 456.571, as amended by section 5, chapter 193, Oregon Laws 2023 (Enrolled
20 Senate Bill 892), is amended to read:

21 “456.571. (1) The Oregon Housing Stability Council shall, with the advice of the Director of the
22 Housing and Community Services Department, develop policies to:

23 “(a) Aid in stimulating and increasing the supply of housing for persons and families of lower
24 income;

25 “(b) Address geographic and racial disparities; and

26 “(c) Ensure funds distributed by the Housing and Community Services Department contribute
27 to addressing other state priorities.

28 “(2) The council shall make special effort to respond to both private and public actions that may
29 raise the cost of the housing supply in the open market, as the open market is the source of housing
30 for the preponderance of lower income households.

31 “(3) The council is responsible for studying and commenting upon, and advising the department,
32 Governor, Legislative Assembly, other state agencies and local governments concerning, local, state
33 and federal legislation or rules that affect the cost and supply of housing, both before and after the
34 legislation and rules are enacted. For purposes of this subsection, ‘legislation or rules that affect the
35 cost and supply of housing’ includes but is not limited to legislation or rules that would:

36 “(a) Provide financing for the construction or rehabilitation of housing;

37 “(b) Subsidize new or existing housing costs for lower income households by income support, tax
38 credit, or support service methods;

39 “(c) Regulate the division of land;

40 “(d) Regulate the use of land;

41 “(e) Regulate building construction standards;

42 “(f) Regulate fees and charges for inspection services, permits, or professional services related
43 to housing;

44 “(g) Encourage alternatives that increase housing choices;

45 “(h) **Encourage alternatives that increase the quantity and quality of accessible units;**

1 “[(h)] (i) Create or avert overlapping jurisdictional functions and the concomitant increased
2 costs that are reflected in housing prices;

3 “[(i)] (j) Create or avoid conflicting state and federal regulations that deprive lower income
4 households of assistance; and

5 “[(j)] (k) Help or hinder compliance with the housing goals established by the Land Conserva-
6 tion and Development Commission under ORS 197.240.

7 “(4) The council, with the approval of the Governor, may initiate legal proceedings in the name
8 of the council to further the council’s purposes under this section.

9 “(5) The council shall exercise the responsibilities and powers of the council in a manner that
10 expedites the acquisition, construction, improvement or rehabilitation of housing.

11 “(6) With respect to the Community Development Incentive Project Fund established under ORS
12 458.720, the council shall develop program guidelines, including specific project criteria and financ-
13 ing mechanisms, review applications seeking funding from the fund and make recommendations for
14 funding approval to the director and review proposals for cooperative agreements or joint projects
15 between the department and other state agencies to facilitate the goals of the fund.

16 “(7) The council shall advise and assist the department, at the director’s request, with rules,
17 policies and programs under ORS 456.555 (9). In providing advice and assistance, the council shall
18 consider advice on housing and community service programs from entities listed under ORS 456.555
19 (5) and other entities identified by the department by rule.

20 “(8) The council shall approve or disapprove loans, grants and other funding award proposals
21 under ORS 456.561.

22 “**(9) The council shall incorporate incentives designed to increase the quantity and quality**
23 **of accessible units wherever possible in housing development funding offerings.**

24 “[(9)] (10) The council, in conjunction with the Community Action Partnership of Oregon, shall
25 ensure the coordination of state agency homelessness relief efforts.”.

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