

Requested by Representative MARSH

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2987**

1 In line 2 of the printed bill, after “Program” insert “; amending ORS  
2 431A.400; and declaring an emergency”.

3 Delete lines 4 through 9 and insert:

4 **“SECTION 1.** ORS 431A.400, as amended by section 33, chapter 86,  
5 Oregon Laws 2022, is amended to read:

6 “431A.400. (1) As used in this section:

7 “(a) ‘Eligible entity’ means a:

8 “(A) Local government as defined in ORS 174.116;

9 “(B) Local housing authority;

10 “(C) Nonprofit organization;

11 “(D) Federally recognized Indian tribe in Oregon;

12 “(E) Indian health center;

13 “(F) Coordinated care organization as defined in ORS 414.025;

14 “(G) Community action agency as described in ORS 458.505;

15 “(H) Manufactured dwelling park nonprofit cooperative as defined in ORS  
16 62.803;

17 “(I) An electric utility as defined in ORS 757.600; or

18 “(J) A natural gas utility as defined in ORS 757.392.

19 “(b) ‘Environmental justice factor’ means a circumstance or condition  
20 that impacts a community’s ability to achieve a balance of health, economic  
21 or environmental benefits and burdens or that impacts a community’s ability

1 to participate in public processes.

2 “(c) ‘Grant program recipient’ means an eligible entity that has been  
3 awarded a grant from the Oregon Health Authority under this section.

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

7 “(e) ‘Low income household’ means a household having an income equal  
8 to or below 80 percent of the area median family income as determined by  
9 the authority.

10 “(f) ‘Nonprofit organization’ means an organization or group of organiza-  
11 tions that is described in section 501(c)(3) of the Internal Revenue Code and  
12 is exempt from income tax under section 501(a) of the Internal Revenue Code.

13 “(g) ‘Repair and rehabilitation’ includes actions that:

14 “(A) Maximize energy efficiency of residences;

15 “(B) Extend the usable life of residences; or

16 “(C) Improve the health and safety of the occupants of residences, in-  
17 cluding:

18 “(i) Radon abatement;

19 “(ii) Lead abatement;

20 “(iii) Mold and mildew abatement;

21 “(iv) Installation of a smoke filtration system, an air purification system  
22 or ventilation or reduction of pathways for air infiltration;

23 “(v) Removal of asthma or allergen triggers;

24 “(vi) Structural or safety improvements that increase accessibility or  
25 visitability;

26 “(vii) Improvements that make homes more fire resistant;

27 “(viii) Structural or safety improvements that promote seismic resiliency;

28 “(ix) Improvements that reduce the reflection of heat on or around the  
29 home, including improvements related to trees, vegetation, green roofs or  
30 cool roofs; and

1 “(x) Electrical upgrades that improve the safety of the home or support  
2 or enable the use of energy efficiency upgrades such as heating or cooling  
3 devices.

4 “(h) ‘Residence’ means a dwelling that is intended for occupation by a  
5 single family and is occupied by one or more individuals who are members  
6 of a low income household as the individuals’ principal residence, including  
7 a site-built home, manufactured home, residential trailer, mobile home, con-  
8 dominium unit or unit within multifamily housing.

9 “(i) ‘Smoke filtration system’ means a residential air filtration system  
10 that meets minimum efficiency standards, as determined by the authority, for  
11 the removal of particulates and other harmful substances generated by  
12 wildfires.

13 “(2) The Healthy Homes Program is established within the Oregon Health  
14 Authority. The purpose of the program is to provide grants to eligible enti-  
15 ties that provide financial assistance to persons in low income households  
16 to repair and rehabilitate their residences and to landlords to repair and  
17 rehabilitate dwelling units inhabited by low income households.

18 “(3) To be eligible to receive grants from the Healthy Homes Program,  
19 an eligible entity must establish that it:

20 “(a) Serves or represents:

21 “(A) Communities with high concentrations of low income households; or

22 “(B) Communities impacted by environmental justice factors, including  
23 but not limited to:

24 “(i) Areas with above-average concentrations of historically disadvan-  
25 taged households or residents with low levels of educational attainment,  
26 areas with high unemployment, high linguistic isolation, low levels of  
27 homeownership or high rent burden or sensitive populations;

28 “(ii) Areas disproportionately affected by environmental pollution and  
29 other hazards that can lead to negative public health effects, exposure or  
30 environmental degradation; or

1 “(iii) Other environmental justice factors as determined by the authority.

2 “(b) Has the capacity to administer grant funds received under this sec-  
3 tion.

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

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

9 “(b) The authority may adopt by rule:

10 “(A) Standards for repair and rehabilitation activities conducted by low-  
11 income households;

12 “(B) Standards for repair and rehabilitation activities conducted by land-  
13 lords;

14 “(C) Additional requirements for landlords who receive program funds;  
15 and

16 “(D) Provisions for the allocation of program funds including but not  
17 limited to allocations for types of eligible entities, types of recipients, types  
18 of housing and regions of this state.

19 “(c) The authority, in consultation with the Governor’s Policy Advisor for  
20 Economic and Business Equity, may establish by rule standards for the work  
21 performed using grants from the program to be performed by disadvantaged  
22 business enterprises, minority-owned businesses, woman-owned businesses or  
23 businesses that service-disabled veterans own, as those terms are defined in  
24 ORS 200.005.

25 “(5) Upon being awarded a grant under this section, the grant program  
26 recipient shall enter into an agreement with the authority that contains  
27 provisions that:

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

29 “(b) Prohibit the grant program recipient from using more than [*15 per-*  
30 *cent*] **the percentage** of grant funds for administrative expenses [*and pro-*

1 *gram delivery costs*] **allowed by the authority by rule;**

2 “(c) Include the repayment provisions set forth in subsection (6) of this  
3 section;

4 “(d) Permit the authority to conduct audits and investigations of the  
5 grant program recipient regarding the purposes for which grant funds have  
6 been used; and

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

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

11 “(a) The grant program recipient does not use the grant funds in accord-  
12 ance with the provisions of the grant agreement executed between the au-  
13 thority and the grant program recipient under subsection (5) of this section;  
14 or

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

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

25 “(a) A detailed description of the grant program recipient’s use of grant  
26 funds;

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

30 “(c) The number of low income households that the grant program recip-

1 ient has provided financial assistance to for the repair and rehabilitation of  
2 their residences;

3 “(d) The number of landlords that the grant program recipient has pro-  
4 vided financial assistance to for the repair and rehabilitation of dwelling  
5 units;

6 “(e) The nature and amounts of the administrative expenses and program  
7 delivery costs the grant program recipient has incurred in providing the fi-  
8 nancial assistance under the program;

9 “(f) Disaggregated data concerning the income, racial or ethnic back-  
10 ground, family size and related demographic information of low income  
11 households who received financial assistance for repair and rehabilitation  
12 of residences under the program from the grant program recipient; and

13 “(g) Any other information required by the authority.

14 “(8) The authority may not pay amounts for grants under this section  
15 from any source other than available funds in the Healthy Homes Repair  
16 Fund established in ORS 431A.402.

17 “(9) Under the Healthy Homes Program, the authority may develop, or  
18 contract with public institutions of higher education or nonprofit organiza-  
19 tions to assist in developing:

20 “(a) Methods for evaluating health hazards in housing;

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

22 “(c) Performance measures for the work being performed through the fi-  
23 nancial assistance provided under the program; and

24 “(d) Recommendations for promoting the incorporation of healthy housing  
25 into ongoing practices and systems, including housing codes.

26 **“SECTION 2. This 2023 Act being necessary for the immediate**  
27 **preservation of the public peace, health and safety, an emergency is**  
28 **declared to exist, and this 2023 Act takes effect on its passage.”.**

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