

Requested by SENATE COMMITTEE ON RULES

**PROPOSED AMENDMENTS TO RESOLVE CONFLICTS TO
A-ENGROSSED HOUSE BILL 3309**

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

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

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

6 “456.555. (1) The Housing and Community Services Department is estab-
7 lished.

8 “(2) The department is supervised and controlled by a director who is re-
9 sponsible for the performance of the duties imposed upon the department.
10 The Governor shall appoint the Director of the Housing and Community
11 Services Department. The director shall hold office at the pleasure of the
12 Governor. The person appointed as director must be a person who, by train-
13 ing and experience, is well qualified to perform the duties of the office.

14 “(3) The director shall receive such salary as may be provided by law, or,
15 if not so provided, as may be fixed by the Governor. In addition to the salary
16 of the director, the director shall, subject to the limitations otherwise pro-
17 vided by law, be reimbursed for all expenses actually and necessarily in-
18 curred by the director in the performance of official duties.

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

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

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

4 “(b) Tribes;

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

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

7 “(e) Local governments;

8 “(f) Nonprofit organizations;

9 “(g) Homeless services providers;

10 “(h) Culturally specific organizations;

11 “(i) Housing providers;

12 “(j) Veterans’ services organizations; *[and]*

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

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

16 “(6) The director shall report regularly to the Oregon Housing Stability
17 Council to keep the council informed on progress made by the department
18 in carrying out the department’s responsibilities for housing programs.

19 “(7) The department shall administer federal programs. Federal funds for
20 housing stabilization must, to the extent consistent with federal law, be al-
21 located statewide in a manner proportionate to a needs-based and geograph-
22 ically based formula.

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

26 “(a) Administration and enforcement.

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

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

29 “(d) The identification of housing programs and community services pro-
30 grams.

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

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

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

13 “(11) The department shall establish by rule one or more threshold
14 amounts above which a housing grant or other housing funding award pro-
15 posal requires council review and approval under ORS 456.561.

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

18 “456.571. (1) The Oregon Housing Stability Council shall, with the advice
19 of the Director of the Housing and Community Services Department, develop
20 policies to:

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

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

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

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

30 “(3) The council is responsible for studying and commenting upon, and

1 advising the department, Governor, Legislative Assembly, other state agen-
2 cies and local governments concerning, local, state and federal legislation
3 or rules that affect the cost and supply of housing, both before and after the
4 legislation and rules are enacted. For purposes of this subsection, ‘legislation
5 or rules that affect the cost and supply of housing’ includes but is not limited
6 to legislation or rules that would:

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

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

10 “(c) Regulate the division of land;

11 “(d) Regulate the use of land;

12 “(e) Regulate building construction standards;

13 “(f) Regulate fees and charges for inspection services, permits, or profes-
14 sional services related to housing;

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

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

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

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

22 “[*j*] (k) Help or hinder compliance with the housing goals established
23 by the Land Conservation and Development Commission under ORS 197.240.

24 “(4) The council, with the approval of the Governor, may initiate legal
25 proceedings in the name of the council to further the council’s purposes un-
26 der this section.

27 “(5) The council shall exercise the responsibilities and powers of the
28 council in a manner that expedites the acquisition, construction, improve-
29 ment or rehabilitation of housing.

30 “(6) With respect to the Community Development Incentive Project Fund

1 established under ORS 458.720, the council shall develop program guidelines,
2 including specific project criteria and financing mechanisms, review appli-
3 cations seeking funding from the fund and make recommendations for fund-
4 ing approval to the director and review proposals for cooperative agreements
5 or joint projects between the department and other state agencies to facili-
6 tate the goals of the fund.

7 “(7) The council shall advise and assist the department, at the director’s
8 request, with rules, policies and programs under ORS 456.555 (9). In provid-
9 ing advice and assistance, the council shall consider advice on housing and
10 community service programs from entities listed under ORS 456.555 (5) and
11 other entities identified by the department by rule.

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

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

17 “[9] (10) The council, in conjunction with the Community Action Part-
18 nership of Oregon, shall ensure the coordination of state agency
19 homelessness relief efforts.”.

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