

AMENDMENTS TO LB44

Introduced by Groene, 42.

1           1. Insert the following new sections:

2           Section 1. Section 19-5504, Revised Statutes Cumulative Supplement,  
3           2020, is amended to read:

4           19-5504 (1) Except for a city with a population of less than fifty  
5           thousand inhabitants that does not have or chooses not to adopt an  
6           affordable housing action plan, on or before July 1, 2021, and by each  
7           July 1 every two years thereafter, each city shall electronically submit  
8           a report to the Urban Affairs Committee of the Legislature detailing its  
9           efforts to address the availability of and incentives for affordable  
10          housing through its zoning codes, ordinances, and regulations. Such  
11          report shall include, but not be limited to:

12          (a) An overview of the city's current residential zoning  
13          requirements;

14          (b) The percentage of areas in the city zoned for residential use  
15          which permit the construction of multifamily housing and middle housing;

16          (c) A breakdown of new residential construction in the city over the  
17          previous five years, including the percentage of such construction that  
18          was single-family housing, multifamily housing, and middle housing;

19          (d) A breakdown of residential units annexed by the city over the  
20          previous five years, including the percentage of such units that were  
21          single-family housing, multifamily housing, and middle housing;

22          (e) An estimate of the per-unit cost of housing in the city;

23          (f) Whether such zoning codes, ordinances, and regulations provide  
24          for density bonuses or other concessions or incentives which encourage  
25          residential density, and the frequency with which such bonuses,  
26          concessions, or incentives are utilized;

27          (g) Whether such zoning codes, ordinances, and regulations allow the

1 construction of accessory dwelling units;

2 (h) What incentives the city applies to encourage the development of  
3 affordable housing, including both direct incentives and regulatory  
4 relief;

5 (i) A demographic analysis of the city with trends and estimates of  
6 the housing need classified by housing type and price range; and

7 (j) Efforts to adopt an affordable housing action plan as required  
8 under section 19-5505.

9 (2) The Urban Affairs Committee of the Legislature may require any  
10 city subject to the requirements of subsection (1) of this section to  
11 present its report to the committee at a public hearing.

12 Sec. 3. Section 81-1237, Revised Statutes Cumulative Supplement,  
13 2020, is amended to read:

14 81-1237 For purposes of the Middle Income Workforce Housing  
15 Investment Act:

16 (1) Department means the Department of Economic Development;

17 (2) Director means the Director of Economic Development;

18 (3) Eligible activities of a workforce housing investment fund  
19 means:

20 (a) New construction of owner-occupied housing in a neighborhood and  
21 community with a demonstrated need for housing that is affordable and  
22 attractive to first-time homebuyers, middle-income families, and the  
23 emerging workforce;

24 (b) Substantial repair or rehabilitation of dilapidated housing  
25 stock; or

26 (c) Upper-story housing development for occupation by a homeowner;

27 (4) HOME funds means funds awarded as formula grants under the HOME  
28 Investment Partnerships Program administered by the United States  
29 Department of Housing and Urban Development;

30 (5) Matching funds means dollars contributed by individuals,  
31 businesses, foundations, local and regional political subdivisions, or

1 other nonprofit organizations to a workforce housing investment fund  
2 administered by a nonprofit development organization;

3 (6) Nonprofit development organization means a regional or statewide  
4 nonprofit development organization approved by the director;

5 (7) Qualified activities include purchase guarantees, loan  
6 guarantees, loan participations, and other credit enhancements related to  
7 eligible activities of the workforce housing investment fund;

8 (8) Qualified investment means a cash investment in a workforce  
9 housing investment fund administered by a nonprofit development  
10 organization;

11 (9) Urban community means any area that is:

12 (a) In a county with a population greater than fifty ~~one hundred~~  
13 thousand inhabitants as determined by the most recent federal decennial  
14 census; and

15 (b) Within a qualified census tract as described in 26 U.S.C. 42(d)  
16 (5)(B), as such section existed on January 1, 2020;

17 (10) Workforce housing means:

18 (a) Owner-occupied housing units that have an after-construction  
19 appraised value of at least one hundred twenty-five thousand dollars but  
20 not more than two hundred seventy-five thousand dollars. For purposes of  
21 this subdivision (a) and subdivision (b) of this subsection, housing unit  
22 after-construction appraised value shall be updated annually by the  
23 department based upon the most recent increase or decrease in the  
24 Producer Price Index for all commodities, published by the United States  
25 Department of Labor, Bureau of Labor Statistics;

26 (b) Owner-occupied housing units for which the cost to substantially  
27 rehabilitate such units exceeds fifty percent of a unit's before-  
28 construction assessed value, and the after-construction appraised value  
29 is at least one hundred twenty-five thousand dollars but not more than  
30 two hundred seventy-five thousand dollars;

31 (c) Upper-story housing for occupation by a homeowner; and

1 (d) Housing that does not receive federal or state low-income  
2 housing tax credits, community development block grants, HOME funds, or  
3 funds from the Affordable Housing Trust Fund; and

4 (11) Workforce housing investment fund means a fund that has been  
5 created by a nonprofit development organization and certified by the  
6 director to encourage development of workforce housing in urban  
7 communities.

8 2. On page 2, line 6, strike "shall", show as stricken, and insert  
9 "may"; and in line 25 strike "required under" and insert "described in".

10 3. Renumber the remaining sections and correct the repealer  
11 accordingly.