



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB5268

Introduced 01/25/06, by Rep. Julie Hamos - Karen A. Yarbrough - Elaine Nekritz - Robin Kelly - Kathleen A. Ryg

SYNOPSIS AS INTRODUCED:

New Act
30 ILCS 345/7.5 new

Creates the Comprehensive Housing Planning Act. Provides that during the period from the effective date of the Act through June 30, 2016, the State of Illinois shall prepare and be guided by an annual comprehensive housing plan that is consistent with the affirmative fair housing provisions of the Illinois Human Rights Act and specifically addresses certain underserved populations, including households earning below 50% of the area median income, low-income senior citizens, and low-income persons with a disability. Sets forth items that must be included in the plan, including (i) the identification of all funding sources for which the State has administrative control that are available for housing construction, rehabilitation, preservation, operating or rental subsidies, and supportive services and (ii) goals for the number and types of housing units to be constructed, preserved, or rehabilitated each year for the specified underserved populations. Provides for an Executive Committee and an Interagency Subcommittee. Requires the Illinois Housing Development Authority, in consultation with the Interagency Subcommittee, to annually issue a joint Notice of Funding Availability to notify potential applicants of funding for specific programs expected to be available through State agencies to meet housing and supportive service needs identified in the Annual Comprehensive Housing Plan. Amends the Illinois Private Activity Bond Allocation Act; requires the issuer of bonds utilizing bond volume cap from the Local Government Pool and the State Agency Pool to file an annual report with the Governor and the General Assembly. Effective immediately.

LRB094 17684 DRJ 54855 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning housing.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Comprehensive Housing Planning Act.

6 Section 5. Definitions. In this Act:

7 "Authority" means the Illinois Housing Development
8 Authority.

9 "Executive Committee" means the Executive Committee of the
10 State Housing Task Force, which shall consist of 13 members of
11 the State Housing Task Force: the Chair, the Vice-Chair, a
12 representative of the Governor's Office, a representative of
13 the Governor's Office of Management and Budget responsible for
14 Bond Cap allocation in the State, the Director of Commerce and
15 Economic Opportunity or his or her designee, the Secretary of
16 Human Services or his or her designee, and 7 housing experts
17 from the State Housing Task Force as designated by the
18 Governor.

19 "Interagency Subcommittee" means the Interagency
20 Subcommittee of the State Housing Task Force, which shall
21 consist of the following members or their designees: the
22 Executive Director of the Authority; the Secretaries of Human
23 Services and Transportation; the Directors of the State
24 Departments of Aging, Children and Family Services, Commerce
25 and Economic Opportunity, Financial and Professional
26 Regulation, Healthcare and Family Services, Human Rights,
27 Natural Resources, Public Health, and Veterans' Affairs; the
28 Director of the Environmental Protection Agency; a
29 representative of the Governor's Office; and a representative
30 of the Governor's Office of Management and Budget.

31 "State Housing Task Force" or "Task Force" means a task
32 force comprised of the following persons or their designees:

1 the Executive Director of the Authority; a representative of
2 the Governor's Office; a representative of the Lieutenant
3 Governor's Office; the Secretaries of Human Services and
4 Transportation; the Directors of the State Departments of
5 Aging, Children and Family Services, Commerce and Economic
6 Opportunity, Financial and Professional Regulation, Healthcare
7 and Family Services, Human Rights, Natural Resources, Public
8 Health, and Veterans' Affairs; the Director of the
9 Environmental Protection Agency; and a representative of the
10 Governor's Office and Management and Budget. The Governor may
11 also invite and appoint the following to the Task Force: a
12 representative of the Illinois Institute for Rural affairs of
13 Western Illinois University; representatives of the U. S.
14 Departments of Housing and Urban Development (HUD) and
15 Agriculture; and up to 18 housing experts, with proportional
16 representation from urban, suburban, and rural areas
17 throughout the State. The Speaker of the Illinois House of
18 Representatives, the President of the Illinois Senate, the
19 Minority Leader of the Illinois House of Representatives, and
20 the Minority Leader of the Illinois Senate may each appoint one
21 representative to the Task Force. The Executive Director of the
22 Authority shall serve as Chair of the Task Force. The Governor
23 shall appoint a housing expert from the non-governmental sector
24 to serve as Vice-Chair.

25 Section 10. Purpose. In order to maintain the economic
26 health of its communities, the State must have a comprehensive
27 and unified policy for the allocation of resources for
28 affordable housing and supportive services for historically
29 underserved populations throughout the State. Executive Order
30 2003-18, issued September 16, 2003, created the Illinois
31 Housing Initiative through December 31, 2008, which led to the
32 adoption of the first Annual Comprehensive Housing Plan for the
33 State of Illinois. The General Assembly determines that it is
34 now necessary to codify provisions of Executive Order 2003-18
35 in order to accomplish the following:

1 (1) address the need to make available quality housing
2 at a variety of price points in communities throughout the
3 State;

4 (2) overcome the shortage of affordable housing, which
5 threatens the viability of many communities;

6 (3) meet the need for safe, sanitary, and accessible
7 affordable housing and supportive services for people with
8 disabilities;

9 (4) promote a full range of quality housing choices
10 near jobs, transit, and other amenities;

11 (5) meet the needs of constituencies that have been
12 historically underserved and segregated due to barriers
13 and trends in the existing housing market or insufficient
14 resources;

15 (6) facilitate the preservation of ownership of
16 existing homes and rental housing in communities;

17 (7) create new housing opportunities and, where
18 appropriate, promote mixed-income communities; and

19 (8) encourage development of State incentives for
20 communities to create a mix of housing to meet the needs of
21 current and future residents.

22 Section 15. Annual Comprehensive Housing Plan.

23 (a) During the period from the effective date of this Act
24 through June 30, 2016, the State of Illinois shall prepare and
25 be guided by an annual comprehensive housing plan ("Annual
26 Comprehensive Housing Plan") that is consistent with the
27 affirmative fair housing provisions of the Illinois Human
28 Rights Act and specifically addresses the following
29 underserved populations:

30 (1) households earning below 50% of the area median
31 income, with particular emphasis on households earning
32 below 30% of the area median income;

33 (2) low-income senior citizens;

34 (3) low-income persons with any form of disability,
35 including, but not limited to, physical disability,

1 developmental disability, mental illness, co-occurring
2 mental illness and substance abuse disorder, and HIV/AIDS;

3 (4) homeless persons and persons determined to be at
4 risk of homelessness;

5 (5) low-income and moderate-income persons unable to
6 afford housing near work or transportation; and

7 (6) low-income persons residing in existing affordable
8 housing that is in danger of becoming unaffordable or being
9 lost.

10 (b) The Annual Comprehensive Housing Plan shall include,
11 but need not be limited to, the following:

12 (1) The identification of all funding sources for which
13 the State has administrative control that are available for
14 housing construction, rehabilitation, preservation,
15 operating or rental subsidies, and supportive services.

16 (2) Goals for the number and types of housing units to
17 be constructed, preserved, or rehabilitated each year for
18 the underserved populations identified in subsection (a)
19 of Section 15, based on available housing resources.

20 (3) Funding recommendations for types of programs for
21 housing construction, preservation, rehabilitation, and
22 supportive services, where necessary, related to the
23 underserved populations identified in subsection (a) of
24 Section 15, based on the Annual Comprehensive Housing Plan.

25 (4) Specific actions needed to ensure the coordination
26 of State government resources that can be used to build or
27 preserve affordable housing, provide services to accompany
28 the creation of affordable housing, and prevent
29 homelessness.

30 (5) Recommended State actions that promote the
31 construction, preservation, and rehabilitation of
32 affordable housing by private-sector, not-for-profit, and
33 government entities and address those practices that
34 impede such promotion.

35 (6) Specific suggestions for incentives for counties
36 and municipalities to develop and implement local

1 comprehensive housing plans that would encourage a mix of
2 housing to meet the needs of current and future residents.

3 (7) Identification of options that counties,
4 municipalities, and other local jurisdictions, including
5 public housing authorities, can take to construct,
6 rehabilitate, or preserve housing in their own communities
7 for the underserved populations identified in Section 10 of
8 this Act.

9 (c) The Interagency Subcommittee, with staff support and
10 coordination assistance from the Authority, shall develop the
11 Annual Comprehensive Housing Plan. The State Housing Task Force
12 shall provide advice and guidance to the Interagency
13 Subcommittee in developing the Plan. The Interagency
14 Subcommittee shall deliver the Annual Comprehensive Housing
15 Plan to the Governor and the General Assembly by January 1 of
16 each year or the first business day thereafter. The Authority,
17 on behalf of the Interagency Subcommittee, shall prepare an
18 interim report by September 30 and a final report by April 1 of
19 the following year to the Governor and the General Assembly on
20 the progress made toward achieving the projected goals of the
21 Annual Comprehensive Housing Plan during the previous calendar
22 year. These reports shall include estimates of revenues,
23 expenditures, obligations, bond allocations, and fund balances
24 for all programs or funds addressed in the Annual Comprehensive
25 Housing Plan.

26 (d) The Authority shall provide staffing to the Interagency
27 Subcommittee, the Task Force, and the Executive Committee of
28 the Task Force. It shall also provide the staff support needed
29 to help coordinate the implementation of the Annual
30 Comprehensive Housing Plan during the course of the year. The
31 Authority shall be eligible for reimbursement of up to \$300,000
32 per year for such staff support costs from a designated funding
33 source, if available, or from the Illinois Affordable Housing
34 Trust Fund.

35 Section 20. Executive Committee. The Executive Committee

1 shall:

2 (1) Oversee and structure the operations of the Task
3 Force.

4 (2) Create necessary subcommittees and appoint
5 subcommittee members, with the advice of the Task Force and
6 the Interagency Subcommittee, as the Executive Committee
7 deems necessary.

8 (3) Ensure adequate public input into the Annual
9 Comprehensive Housing Plan.

10 (4) Involve, to the extent possible, appropriate
11 representatives of the federal government, local
12 governments and municipalities, public housing
13 authorities, local continuum-of-care, for-profit, and
14 not-for-profit developers, supportive housing providers,
15 business, labor, lenders, and fair housing agencies.

16 (5) Have input into the development of the Annual
17 Comprehensive Housing Plan and the Annual Report prepared
18 by the Authority before the Authority submits them to the
19 Task Force.

20 Section 25. Interagency Subcommittee. The Interagency
21 Subcommittee and its member agencies shall:

22 (1) Be responsible for providing the information
23 needed to develop the Annual Comprehensive Housing Plan as
24 well as the interim and final Plan reports.

25 (2) Develop the Annual Comprehensive Housing Plan.

26 (3) Oversee the implementation of the Plan by
27 coordinating, streamlining, and prioritizing the
28 allocation of available production, rehabilitation,
29 preservation, financial, and service resources.

30 Section 30. Notice of Funding Availability. The Authority,
31 in consultation with other participating members of the
32 Interagency Subcommittee, shall annually issue a joint Notice
33 of Funding Availability ("NOFA") to notify potential
34 applicants of funding for specific programs expected to be

1 available through State agencies to meet housing and supportive
2 service needs identified in the Annual Comprehensive Housing
3 Plan. Prior to issuance of this NOFA, and before October 1 of
4 each year, each Interagency Subcommittee member shall provide
5 the Chairman of the Interagency Subcommittee with a report of
6 funding earmarked for the NOFA, contingent on funding
7 availability through annual appropriation. The Authority and
8 other members of the Interagency Subcommittee may continue to
9 provide additional opportunities for funding available under
10 programs they administer, apart from this joint NOFA. The joint
11 NOFA shall indicate the target number and types of housing
12 units to be constructed, rehabilitated, preserved, and
13 targeted for supportive services funding for the underserved
14 populations. A NOFA may include, but need not be limited to,
15 information regarding:

16 (1) available funding for property acquisition,
17 construction, rehabilitation, or preservation of each type
18 of housing;

19 (2) available funding for operating cost subsidies,
20 including any rental assistance;

21 (3) projected funding for supportive services for the
22 targeted units upon their occupancy, subject to annual
23 appropriation of funds;

24 (4) the eligibility requirements for applicants;

25 (5) relevant program guidelines;

26 (6) selection criteria and the selection process; and

27 (7) the conditions to be met by applicants and selected
28 respondents.

29 Each agency with authority for approving allocations of
30 funds shall review proposed funding actions with the
31 Interagency Subcommittee. Final funding decisions shall be
32 made by the responsible agency in accordance with applicable
33 law.

34 Section 90. The Illinois Private Activity Bond Allocation
35 Act is amended by adding Section 7.5 as follows:

1 (30 ILCS 345/7.5 new)

2 Sec. 7.5. Bond issuer; annual report. The issuer of bonds
3 utilizing bond volume cap from the Local Government Pool and
4 the State Agency Pool shall file an annual report with the
5 Governor and the General Assembly. The annual report from each
6 issuer must include, but is not limited to, the following
7 information:

8 (1) For multifamily rental units:

9 (A) the total number of developments;

10 (B) the total number of units, by income levels
11 served;

12 (C) the total number of units targeted to each
13 particular underserved population addressed in the
14 Annual Comprehensive Housing Plan; and

15 (D) any outreach efforts undertaken to serve the
16 targeted units.

17 (2) For single family homeownership units:

18 (A) the total number of loans and households who
19 achieved homeownership with issuer bond proceeds;

20 (B) the amounts of individual loans generated by
21 the bond proceeds;

22 (C) the actual and effective interest rates
23 offered to borrowers;

24 (D) the total number of assisted homeowners
25 identified as an underserved population addressed in
26 the Annual Comprehensive Housing Plan, when available;

27 (E) the number of first-time homebuyers; and

28 (F) the number of assisted homeowners who received
29 any homeownership counseling.

30 (3) For all housing units:

31 (A) the percentage of bond proceeds used in
32 conjunction with the projects and loans;

33 (B) the total cost of issuance for the bonds
34 issued;

35 (C) the amount of bond proceeds, if any, used to

1 refund prior bonds; and
2 (D) the total amount of unused proceeds, if any, at
3 the time of the report.

4 The Governor and the General Assembly shall utilize
5 information readily available through existing reporting
6 requirements to report on the State Agency Pool.

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.