

Introduced by Senator Alquist

February 18, 2005

An act to amend Section 33334.4 of the Health and Safety Code, relating to redevelopment.

LEGISLATIVE COUNSEL'S DIGEST

SB 527, as introduced, Alquist. Redevelopment: senior housing.

The Community Redevelopment Law, requires not less than 20% of all property tax increment funds that are allocated to a redevelopment agency to be used by the agency for purposes of increasing, improving, and preserving the community's supply of low- and moderate-income housing. These funds are required to be deposited in a separate Low and Moderate Income Housing Fund. This law requires each redevelopment agency to expend over the duration its redevelopment implementation plan, the moneys in the Low and Moderate Income Housing Fund to assist housing that is available to all persons regardless of age in at least the same proportion as the population under age 65 years bears to the total population of the community as reported in the most recent census of the United States Census Bureau.

This bill would specify that the housing assistance be available in at least the same proportion as the population under the age of 65 bears to the total low-income population of the community.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 33334.4 of the Health and Safety Code
- 2 is amended to read:

1 33334.4. (a) Except as specified in subdivision (d), each
2 agency shall expend over each 10-year period of the
3 implementation plan, as specified in clause (iii) of subparagraph
4 (A) of paragraph (2) of subdivision (a) of Section 33490, the
5 moneys in the Low and Moderate Income Housing Fund to assist
6 housing for persons of low income and housing for persons of
7 very low income in at least the same proportion as the total
8 number of housing units needed for each of those income groups
9 bears to the total number of units needed for persons of
10 moderate, low, and very low income within the community, as
11 those needs have been determined for the community pursuant to
12 Section 65584 of the Government Code. In determining
13 compliance with this obligation, the agency may adjust the
14 proportion by subtracting from the need identified for each
15 income category, the number of units for persons of that income
16 category that are newly constructed over the duration of the
17 implementation plan with other locally controlled government
18 assistance and without agency assistance and that are required to
19 be affordable to, and occupied by, persons of the income
20 category for at least 55 years for rental housing and 45 years for
21 ownership housing, except that in making an adjustment the
22 agency may not subtract units developed pursuant to a
23 replacement housing obligation under state or federal law.

24 (b) Each agency shall expend over the duration of each
25 redevelopment implementation plan, the moneys in the Low and
26 Moderate Income Housing Fund to assist housing that is
27 available to all persons regardless of age in at least the same
28 proportion as the population under age 65 years bears to the total
29 *low-income* population of the community as reported in the most
30 recent census of the United States Census Bureau.

31 (c) An agency that has deposited in the Low and Moderate
32 Income Housing Fund over the first five years of the period of an
33 implementation plan an aggregate that is less than two million
34 dollars (\$2,000,000) shall have an extra five years to meet the
35 requirements of this section.

36 (d) For the purposes of this section, “locally controlled”
37 means government assistance where the community or other
38 local government entity has the discretion and the authority to
39 determine the recipient and the amount of the assistance, whether
40 or not the source of the funds or other assistance is from the state

1 or federal government. Examples of locally controlled
2 government assistance include, but are not limited to,
3 Community Development Block Grant Program (42 U.S.C. Sec.
4 5301 and following) funds allocated to a city or county, Home
5 Investment Partnership Program (42 U.S.C. Sec. 12721 and
6 following) funds allocated to a city or county, fees or funds
7 received by a city or county pursuant to a city or county
8 authorized program, and the waiver or deferral of city or other
9 charges.

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