

Page 1-above line 1 Delete the Sherwood second reading amendment (SF0040H2001/A) to this line; in the catch title after "petition" insert "and urban renewal".

Page 1-line 2 After "specified;" after the House standing committee amendment (SF0040S001/A) to this line insert "expanding the application of the Wyoming Urban Renewal Code to include the provision of affordable housing; providing findings and definitions; requiring rulemaking; making conforming changes;".

Page 1-line 7 Delete "is" and before the Sherwood second reading amendment (SF0040H2001/A) to this line insert ", 15-9-102 by creating a new subsection (d), 15-9-103(a)(iii), (xvii), (xix)(intro) and by creating a new paragraph (xx), 15-9-104(a)(intro), 15-9-105(a)(i), (iii) and (b)(i), 15-9-106(a)(i) and (ii), 15-9-107, 15-9-110(a)(iv) and (b)(i)(A) through (D), 15-9-114(a), 15-9-115(a)(iii), 15-9-116(a)(ii)(intro) and (b) and 15-9-120(a)(i) are".

Page 2-before line 11 Before the Sherwood second reading amendment (SF0040H2001/A) to this line insert and renumber as necessary:

"15-9-102. Legislative findings.

(d) It is further found and declared that there exists in municipalities of the state a lack of affordable housing which is injurious to the public health, safety, morals and welfare of the residents of the state; that the lack of affordable housing constitutes an economic and social liability imposing onerous municipal burdens which decrease the tax base and reduce tax revenues and substantially impairs or arrests the sound growth of municipalities; and that the provision of affordable housing is a matter of state policy and state concern.

15-9-103. Definitions.

1 (a) As used in this chapter, unless a different meaning is
2 clearly indicated by the context:

3
4 (iii) "Blighted area" means an area which by reason of
5 the presence of not less than two (2) conditions for a blighted
6 area specified in this paragraph. The conditions for a blighted
7 area are a substantial number of slums, deteriorated or
8 deteriorating structures, predominance of defective or inadequate
9 street layout, faulty lot layout in relation to size, adequacy,
10 accessibility or usefulness, unsanitary or unsafe conditions,
11 deterioration of site or other improvements, diversity of
12 ownership, tax or special assessments, delinquency exceeding the
13 fair value of the land, defective or unusual conditions of title,
14 or the existence of conditions which endanger life or property by
15 fire and other causes, or ~~any combination of those factors,~~
16 substantially impairs or arrests the sound growth of a
17 municipality, retards the provision of housing accommodations or
18 constitutes an economic or social liability and is a menace to the
19 public health, safety, morals or welfare in its present condition
20 and use. However, if the blighted area consists of open land, the
21 conditions contained in W.S. 15-9-110(b) apply and any disaster
22 area referred to in W.S. 15-9-112 constitutes a "blighted area";
23

24 (xvii) "Urban renewal area" means a slum area, ~~or a~~
25 blighted area or ~~a combination thereof which~~ other area that the
26 local governing body designates as appropriate for an urban renewal
27 project as provided in this chapter;
28

29 (xix) "Urban renewal project" includes undertakings and
30 activities of a municipality in one (1) or more urban renewal areas
31 for the provision of affordable housing or for the elimination ~~and~~
32 ~~for or~~ the prevention of the development or spread of slums and
33 blight, and may involve slum clearance and redevelopment in an
34 urban renewal area, or rehabilitation or conservation in an urban
35 renewal area, or any combination or part thereof in accordance
36 with an urban renewal plan. The undertakings and activities may
37 include:
38

39 (xx) "Affordable housing" means housing where the total
40 gross household income of the occupant does not exceed one hundred
41 twenty percent (120%) of the median gross household income for the
42 county where the housing is located.
43

44 **15-9-104. Private enterprise to be preferred; when**
45 **considered.**
46

1 (a) A municipality, to the greatest extent it determines to
2 be feasible in carrying out the provisions of this chapter and
3 consistent with its needs, shall afford maximum opportunity to the
4 provision of affordable housing or the development, rehabilitation
5 or redevelopment of the urban renewal area by private enterprise.
6 A municipality shall give consideration to this objective in
7 exercising its powers under this chapter, including the:

8
9 **15-9-105. Workable program; formulation; objectives and**
10 **provisions thereof.**

11
12 (a) For the purposes of this chapter a municipality may
13 formulate for itself a workable program for utilizing appropriate
14 private and public resources to:

15
16 (i) Provide affordable housing or eliminate and prevent
17 the development or spread of slums and urban blight;

18
19 (iii) Provide for the development of the urban renewal
20 area as provided in this chapter or the redevelopment of slum and
21 blighted areas; or

22
23 (b) A workable program may include provisions for the:

24
25 (i) Provision of affordable housing or the prevention
26 of the spread of blight through diligent enforcement of housing,
27 zoning and occupancy controls and standards;

28
29 **15-9-106. Initiative resolution; how adopted; findings.**

30
31 (a) No municipality shall exercise the authority conferred
32 upon municipalities by this chapter until the local governing body,
33 on its own motion or by virtue of a petition signed by twenty-five
34 (25) or more electors of the municipality, has adopted a resolution
35 finding that:

36
37 (i) There is a lack of affordable housing or that one
38 (1) or more slum or blighted areas exist in the municipality; and

39
40 (ii) The rehabilitation, conservation, development,
41 redevelopment or a combination thereof of the area or areas is
42 necessary in the interest of the public health, safety, morals or
43 welfare of the residents of the municipality.

44
45 **15-9-107. Preliminary requirements for projects; generally.**
46

1 An urban renewal project for an urban renewal area shall not be
2 planned or initiated unless the governing body, by resolution, has
3 determined the area has a lack of affordable housing and is
4 appropriate for affordable housing or has determined the area to
5 be a slum area or a blighted area or a combination thereof and
6 designated it as an urban renewal area and determined the area
7 appropriate for an urban renewal project under this chapter. A
8 municipality shall not acquire real property for any urban renewal
9 project unless the local governing body has approved the urban
10 renewal project in accordance with W.S. 15-9-110.

11
12 **15-9-110. Preliminary requirements for projects; approval by**
13 **and findings of governing body.**

14
15 (a) Following the hearing specified in W.S. 15-9-109, the
16 local governing body may approve an urban renewal project and the
17 plan therefor if it finds that:

18
19 (iv) The urban renewal plan affords maximum
20 opportunity, consistent with the municipality's needs, for the
21 rehabilitation, development or redevelopment of the urban renewal
22 area by private enterprise.

23
24 (b) If the urban renewal area consists of an area of open
25 land to be acquired by the municipality, the area shall not be so
26 acquired unless:

27
28 (i) If it is to be developed for residential uses, the
29 local governing body shall determine that:

30
31 (A) A shortage of housing of sound standards and
32 design which is affordable, decent, safe and sanitary exists in
33 the municipality;

34
35 (B) ~~The~~ There is a need for affordable housing or
36 that accommodations has been or will be increased as a result of
37 the clearance of slums in other areas;

38
39 (C) The lack of affordable housing, the conditions
40 of blight in the area ~~and or~~ the shortage of decent, safe and
41 sanitary housing ~~cause or contribute to an increase in and spread~~
42 ~~of disease and crime and~~ constitute a menace to the public health,
43 safety, morals or welfare; and

44
45 (D) The acquisition of the area for residential
46 uses or affordable housing is an integral part of and essential to
47 the program of the municipality;

1
2 **15-9-114. Condemnation.**
3

4 (a) A municipality has the right to acquire by condemnation
5 any interest in real property, including a fee simple title
6 thereto, which it deems necessary for or in connection with an
7 urban renewal project under this chapter, provided that the right
8 to acquire property by eminent domain under this chapter shall not
9 extend to property occupied by an owner for residential purposes
10 or leased for current residential occupancy. A municipality may
11 exercise the power of eminent domain in the manner now provided or
12 which may be hereafter provided by any other statutory provisions.
13 Property already devoted to a public use may be acquired in like
14 manner, provided that no real property belonging to the United
15 States, the state or any political subdivision thereof, may be
16 acquired without its consent.
17

18 **15-9-115. Property acquired in project; disposition and use**
19 **generally.**
20

21 (a) A municipality may:
22

23 (iii) Retain the property or interest for public use in
24 accordance with the urban renewal plan, subject to any covenants,
25 conditions and restrictions, including covenants running with the
26 land, as it deems necessary or desirable to assist in providing
27 affordable housing, preventing the development or spread of future
28 slums or blighted areas or to otherwise carry out the purposes of
29 this chapter.
30

31 **15-9-116. Property acquired in project; disposition to**
32 **private persons; procedure; notice; proposals; contracts.**
33

34 (a) A municipality may:
35

36 (ii) By notice published once each week for four (4)
37 consecutive weeks in a newspaper having a general circulation in
38 the community, prior to the execution of any contract to sell,
39 lease or otherwise transfer real property and prior to the delivery
40 of any instrument of conveyance with respect thereto under the
41 provisions of this section, invite proposals from and make
42 available all pertinent information to private developers or
43 redevelopers or any persons interested in undertaking to develop
44 affordable housing or to redevelop or rehabilitate an urban renewal
45 area or any part thereof. The notice shall:
46

1 (b) The municipality shall consider all affordable housing
2 development, redevelopment or rehabilitation proposals and the
3 financial and legal ability of the persons making the proposals to
4 carry them out. The municipality may accept any proposals it deems
5 to be in the public interest and in furtherance of the purposes of
6 this chapter. A notification of intention to accept a proposal
7 shall be filed with the governing body not less than thirty (30)
8 days prior to acceptance. Thereafter the municipality may execute
9 a contract and deliver deeds, leases and other instruments and
10 take all steps necessary to effectuate a contract in accordance
11 with the provisions of W.S. 15-9-115.
12

13 **15-9-120. Taxes upon property; authorized division thereof.**
14

15 (a) Any urban renewal plan may contain a provision that
16 taxes, if any, levied upon taxable property in an urban renewal
17 project each year by or for the benefit of a municipality in the
18 state shall be divided as follows:
19

20 (i) That portion of the taxes which would be produced
21 by the rate upon which the tax is levied each year by or for each
22 of the taxing agencies upon the total sum of the assessed value of
23 the taxable property in the urban renewal project as shown upon
24 the assessment roll used in connection with the taxation of the
25 property by the taxing agency, last equalized prior to the
26 effective date of the urban renewal project shall be allocated to
27 and, when collected, paid into the funds of the respective taxing
28 agencies as taxes by or for those taxing agencies on all other
29 property are paid (for the purpose of allocating taxes by or for
30 any taxing agency which did not include the territory in the urban
31 renewal project on the effective date of the project but which
32 territory had been annexed or otherwise included after the
33 effective date, the assessment of the county last equalized on the
34 project shall be used in determining the assessed valuation on the
35 taxable property in the project on the effective date). For the
36 purposes of this paragraph, the assessed value of the taxable
37 property in an urban renewal project shall mean the aggregate value
38 of all property located within the geographical boundaries of the
39 project and notwithstanding any of the requirements imposed under
40 title 39, chapter 13 of Wyoming statutes, the assessed value of
41 the taxable property in an urban renewal project as provided under
42 this paragraph shall not be modified during the term of the
43 project; and
44

45 **Section 2.** The department of revenue shall promulgate rules
46 necessary to implement W.S. 15-9-120(a) as amended by this act,

1 including any amendment of rules previously promulgated as
2 required by W.S. 39-13-103(b)(ii).".
3
4 To the extent required by this amendment: renumber as necessary.
5 YIN