

HOUSE COMMITTEE OF REFERENCE AMENDMENT
Committee on Transportation, Housing & Local Government.
HB26-1061 be amended as follows:

1 Amend printed bill, page 6, after line 4 insert:

2 "(6)(a) THE RESERVATION REQUIREMENT IN SUBSECTION (4)(b)(II)
3 OF THIS SECTION IS A MINIMUM SET-ASIDE REQUIREMENT AND SHALL NOT
4 BE CONSTRUED TO:

5 (I) PROHIBIT THE RESERVATION OF ADDITIONAL RESIDENTIAL
6 DWELLING UNITS FOR OCCUPANCY BY PERSONS WITH DISABILITIES; OR

7 (II) AUTHORIZE DISCRIMINATION IN THE RENTAL, AVAILABILITY,
8 TERMS, CONDITIONS, OR PRIVILEGES OF OCCUPANCY OF ANY
9 NON-RESERVED UNIT ON THE BASIS OF DISABILITY OR ANY OTHER
10 PROTECTED CHARACTERISTIC UNDER APPLICABLE FEDERAL, STATE, OR
11 LOCAL LAW.

12 (b) COMPLIANCE WITH THE RESERVATION REQUIREMENT AND
13 TENANT SELECTION PRIORITY DESCRIBED IN SUBSECTION (4)(b)(II) OF THIS
14 SECTION, INCLUDING THE SCREENING OF APPLICANTS FOR THE LIMITED
15 PURPOSE OF DETERMINING ELIGIBILITY FOR THE RESERVED UNITS OR FOR
16 PRIORITY BASED ON ELIGIBILITY FOR HCBS WAIVER SERVICES SHALL NOT
17 BE INTERPRETED TO:

18 (I) REQUIRE ADDITIONAL OR ONGOING SCREENING OF APPLICANTS
19 WHO ARE PERSONS WITH DISABILITIES BEYOND THAT NECESSARY TO
20 DETERMINE ELIGIBILITY FOR A RESERVED UNIT OR SELECTION PRIORITY;

21 (II) REQUIRE AN OWNER TO REFUSE, DENY, OR DISCOURAGE THE
22 RENTAL OF A NON-RESERVED UNIT TO AN OTHERWISE QUALIFIED
23 APPLICANT WHO IS A PERSON WITH A DISABILITY SOLELY BECAUSE THE
24 RESERVED UNITS HAVE REACHED OR EXCEEDED THE MINIMUM
25 PERCENTAGE REQUIRED PURSUANT SUBSECTION (4)(b)(II); OR

26 (III) IMPOSE ANY OBLIGATION INCONSISTENT WITH APPLICABLE
27 FAIR HOUSING LAWS.

28 (7) ALL ACTIONS TAKEN PURSUANT TO THIS SECTION MUST
29 COMPLY WITH THE FEDERAL "FAIR HOUSING ACT", 42 U.S.C. SEC. 3601 TO
30 3619, AS AMENDED, PART 5 OF ARTICLE 34 OF TITLE 24, AND ANY OTHER
31 APPLICABLE FEDERAL, STATE, OR LOCAL FAIR HOUSING OR CIVIL RIGHTS
32 LAW."

33 Page 6, line 21, strike "PRIORITIES" and substitute "PRIORITIES, INCLUDING
34 EXISTING PRIORITIES FOR SENIOR HOUSING, IF APPLICABLE,".

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