

SENATE BILL NO. 363—SENATORS SPEARMAN, DALY; D. HARRIS,
NEAL, OHRENSCHALL, PAZINA AND SCHEIBLE

MARCH 22, 2023

JOINT SPONSOR: ASSEMBLYMAN D’SILVA

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to affordable housing.
(BDR 25-1029)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to affordable housing; authorizing the Housing
Division of the Department of Business and Industry to
prioritize funding for projects related to affordable
housing that give preference to certain persons; and
providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law creates the Account for Affordable Housing in the State General
2 Fund and prescribes the distribution and use of money in the Account. (NRS
3 319.500, 319.510) Existing law also authorizes the Housing Division of the
4 Department of Business and Industry to distribute a certain portion of money in the
5 Account to public or private nonprofit charitable organizations for projects that
6 meet certain criteria. (NRS 319.510) This bill authorizes the Division to give
7 priority to projects that provide a preference for: (1) women who are veterans; (2)
8 women who were previously incarcerated; (3) survivors of domestic violence; (4)
9 elderly women who do not have stable or adequate living arrangements; and (5)
10 unmarried persons with primary physical custody of a child.

1 WHEREAS, The shortage of affordable housing is affecting
2 communities across the State of Nevada and the nation, and
3 particularly impacts certain populations of women in Nevada; and

4 WHEREAS, Women who are veterans face many challenges
5 when returning to civilian life, including, without limitation, raising
6 children on their own and dealing with the psychological



1 repercussions related to events such as military service or sexual
2 trauma, which can put women who are veterans at a high risk of
3 experiencing housing insecurity or homelessness; and

4 WHEREAS, Women who were formerly incarcerated experience
5 barriers to employment as well as distrust and discrimination which
6 create significant obstacles for formerly incarcerated women to
7 obtain and maintain safe, stable housing for themselves and their
8 families after release; and

9 WHEREAS, Survivors of domestic violence are also hampered in
10 finding safe, affordable housing as a result of certain barriers such
11 as a history of financial abuse, discrimination based on the violent
12 or criminal actions of perpetrators and the unique safety and
13 confidentiality needs of survivors of domestic violence; and

14 WHEREAS, Elderly women are more likely to live in poverty
15 than men as a result of historical wage disparities and having to take
16 time away from the workforce for caregiving; and

17 WHEREAS, Expansion of the inventory of affordable housing
18 that provides a preference for these disadvantaged female
19 populations will address many of the significant obstacles that such
20 women face in obtaining safe, stable and affordable housing; and

21 WHEREAS, Federal and state funding for housing in Nevada
22 should be prioritized for projects that provide a preference for such
23 disadvantaged women; now, therefore,

24
25 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
26 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:
27

28 **Section 1.** NRS 319.510 is hereby amended to read as follows:

29 319.510 1. Except as otherwise provided in subsection 2,
30 money deposited in the Account for Affordable Housing must be
31 used:

32 (a) For the acquisition, construction or rehabilitation of
33 affordable housing for eligible families by public or private
34 nonprofit charitable organizations, housing authorities or local
35 governments through loans, grants or subsidies;

36 (b) To provide technical and financial assistance to public or
37 private nonprofit charitable organizations, housing authorities and
38 local governments for the acquisition, construction or rehabilitation
39 of affordable housing for eligible families;

40 (c) To provide funding for projects of public or private nonprofit
41 charitable organizations, housing authorities or local governments
42 that provide assistance to or guarantee the payment of rent or
43 deposits as security for rent for eligible families, including homeless
44 persons;



1 (d) To reimburse the Division for the costs of administering the
2 Account;

3 (e) To assist eligible persons by supplementing their monthly
4 rent for the manufactured home lots, as defined by NRS 118B.016,
5 on which their manufactured homes, as defined by NRS 118B.015,
6 are located; and

7 (f) In any other manner consistent with this section to assist
8 eligible families in obtaining or keeping affordable housing,
9 including use as the State's contribution to facilitate the receipt of
10 related federal money.

11 2. Except as otherwise provided in this subsection, the Division
12 may expend money from the Account as reimbursement for the
13 necessary costs of efficiently administering the Account and any
14 money received pursuant to 42 U.S.C. §§ 12701 et seq. In no case
15 may the Division expend more than \$40,000 per year or an amount
16 equal to 6 percent of any money made available to the State
17 pursuant to 42 U.S.C. §§ 12701 et seq., whichever is greater. In
18 addition, the Division may expend not more than \$175,000 per year
19 from the Account to create and maintain the statewide low-income
20 housing database required by NRS 319.143. The Division may
21 expend not more than \$75,000 per year of the money deposited in
22 the Account pursuant to NRS 375.070 for the purpose set forth in
23 paragraph (e) of subsection 1. Of the remaining money allocated
24 from the Account:

25 (a) Except as otherwise provided in subsection 3, 15 percent
26 must be distributed to the Division of Welfare and Supportive
27 Services of the Department of Health and Human Services for use in
28 its program developed pursuant to 45 C.F.R. § 233.120, as that
29 section existed on December 4, 1997, to provide emergency
30 assistance to needy families with children, subject to the following:

31 (1) The Division of Welfare and Supportive Services shall
32 adopt regulations governing the use of the money that are consistent
33 with the provisions of this section.

34 (2) The money must be used solely for activities relating to
35 affordable housing that are consistent with the provisions of this
36 section.

37 (3) The money must be made available to families that have
38 children and whose income is at or below the federally designated
39 level signifying poverty.

40 (4) All money provided by the Federal Government to match
41 the money distributed to the Division of Welfare and Supportive
42 Services pursuant to this section must be expended for activities
43 consistent with the provisions of this section.

44 (b) Eighty-five percent must be distributed to public or private
45 nonprofit charitable organizations, housing authorities and local



1 governments for the acquisition, construction and rehabilitation of
2 affordable housing for eligible families, subject to the following:

3 (1) *Priority may be given to those projects that provide a*
4 *preference for:*

5 (I) *Women who are veterans;*

6 (II) *Women who were previously incarcerated;*

7 (III) *Survivors of domestic violence;*

8 (IV) *Elderly women who do not have stable or adequate*
9 *living arrangements; and*

10 (V) *Unmarried persons with primary physical custody of*
11 *a child.*

12 (2) Priority must be given to those projects that qualify for
13 the federal tax credit relating to low-income housing.

14 ~~[(2)]~~ (3) Priority must be given to those projects that
15 anticipate receiving federal money to match the state money
16 distributed to them.

17 ~~[(3)]~~ (4) Priority must be given to those projects that have
18 the commitment of a local government to provide assistance to
19 them.

20 ~~[(4)]~~ (5) All money must be used to benefit families whose
21 income does not exceed 120 percent of the median income for
22 families residing in the same county, as defined by the United States
23 Department of Housing and Urban Development.

24 ~~[(5)]~~ (6) Not less than 15 percent of the units acquired,
25 constructed or rehabilitated must be affordable to persons whose
26 income is at or below the federally designated level signifying
27 poverty. For the purposes of this subparagraph, a unit is affordable if
28 a family does not have to pay more than 30 percent of its gross
29 income for housing costs, including both utility and mortgage or
30 rental costs.

31 ~~[(6)]~~ (7) To be eligible to receive money pursuant to this
32 paragraph, a project must be sponsored by a local government.

33 3. The Division may, pursuant to contract and in lieu of
34 distributing money to the Division of Welfare and Supportive
35 Services pursuant to paragraph (a) of subsection 2, distribute any
36 amount of that money to private or public nonprofit entities for use
37 consistent with the provisions of this section.

