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**AB-1719 Housing: Community College Faculty and Employee Housing Act of 2022.** (2021-2022)

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**Assembly Bill No. 1719**

**CHAPTER 640**

An act to add Part 14.1 (commencing with Section 53580) of Division 31 of the Health and Safety Code, relating to housing.

[ Approved by Governor September 28, 2022. Filed with Secretary of State September 28, 2022. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 1719, Ward. Housing: Community College Faculty and Employee Housing Act of 2022.

Existing law, the Teacher Housing Act of 2016, authorizes a school district to establish and implement programs that address the housing needs of teachers and school district employees who face challenges in securing affordable housing, as provided. Under existing law, a program established under the act is restricted to "teacher or school district employees," except as specified. Existing law defines the term "teacher or school district employees" for these purposes to mean any person employed by a unified school district maintaining prekindergarten, transitional kindergarten, and grades 1 to 12, inclusive, an elementary school district maintaining prekindergarten, transitional kindergarten, and grades 1 to 8, inclusive, or a high school district maintaining grades 9 to 12, inclusive, including, but not limited to, certificated and classified staff.

This bill would establish a substantially similar program for community college faculty and employees. The bill would define the term "faculty or community college district employees" for these purposes to mean any person employed by a community college district, including, but not limited to, certified and classified staff.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** Part 14.1 (commencing with Section 53580) is added to Division 31 of the Health and Safety Code, to read:

**PART 14.1. Community College Faculty and Employee Housing Act of 2022**

**53580.** This part may be cited as the Community College Faculty and Employee Housing Act of 2022.

**53581.** (a) The purpose of this part is also to facilitate the acquisition, construction, rehabilitation, and preservation of affordable rental housing for faculty and community college district employees to allow them to access and maintain housing stability.

(b) A program established under this part shall be restricted to "faculty or community college district employees," except that a community college district may allow local public employees or other members of the public to occupy housing created through this part, subject to applicable laws and regulations.

(c) A community college district shall retain the right to prioritize community college district employees over local public employees or other members of the public to occupy housing.

**53582.** As used in this part:

(a) "Affordable rental housing" means a rental housing development, as defined in subdivision (d) of Section 50675.2, with a majority of its rents restricted to levels that are affordable to persons and families of low or moderate income, as defined in Section 50093, but neither definition is restrictive to only projects with five or more units.

(b) "Faculty or community college district employee" means any person employed by a community college district, including, but not limited to, certificated and classified staff.

(c) "Local public employees" includes employees of a city, county, city and county, charter city, charter county, charter city and county, special district, or any combination thereof.

**53583.** A community college district may establish and implement programs that address the housing needs of faculty and community college district employees who face challenges in securing affordable housing. To the extent feasible, the community college district may establish and implement programs that, among other things, do the following:

(a) Leverage federal, state, and local public, private, and nonprofit programs and fiscal resources available to housing developers.

(b) Promote public and private partnerships.

(c) Foster innovative financing opportunities.

**53584.** This part specifically creates a state policy supporting housing for faculty and community college district employees as described in Section 42(g)(9) of the Internal Revenue Code, and, further, permits community college districts and developers in receipt of local or state funds or tax credits designated for affordable rental housing to restrict occupancy to faculty and community college district employees on land owned by community college districts, including permitting community college districts and developers in receipt of tax credits designated for affordable rental housing to retain the right to prioritize and restrict occupancy on land owned by community college districts to faculty and community college district employees of the community college district that owns the land, so long as that housing does not violate any other applicable laws.

**SEC. 2.** The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.