

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1823 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Carl Newton _____

Adopted: _____

Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 PROPOSED COMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1823

By: Newton

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8 PROPOSED COMMITTEE SUBSTITUTE

9 An Act relating to the Oklahoma Housing Finance
10 Agency; defining terms; limiting the administration
11 of certain funds; restricting rulemaking; requiring
12 time period for public comment; providing for
13 participant rights; providing for preemption;
14 providing for codification; and declaring an
15 emergency.

16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 2901.5 of Title 74, unless there
19 is created a duplication in numbering, reads as follows:

20 A. As used in this section:

21 1. "HOME Program" means the federal HOME Investment
22 Partnerships Program authorized under Title II of the Cranston-
23 Gonzalez National Affordable Housing Act, 42 U.S.C., Section 12701
24 et seq., and the implementing regulations codified at 24 C.F.R.,
Part 92, as amended; and

1 2. "HOME funds" means all federal HOME allocations and related
2 program income disbursed to the State of Oklahoma and administered
3 by the Oklahoma Housing Finance Agency (OHFA).

4 B. Administration of Home Funds.

5 1. OHFA shall administer the HOME Program in compliance with
6 federal statute and regulation and shall treat HOME funds as federal
7 grants to eligible entities, including nonprofit organizations,
8 public agencies, Community Housing Development Organizations
9 (CHDOs), and local governments, in accordance with federal HOME
10 requirements.

11 2. OHFA shall at all times administer the HOME Program
12 consistent with the statutory purpose of the HOME Investment
13 Partnerships Program and shall not impose requirements, conditions,
14 or restrictions on HOME funds that are more stringent or broader in
15 scope than those required by federal HOME statute or implementing
16 federal regulations unless such stricter requirements are expressly
17 authorized by state statute or supported by statewide data and
18 stakeholder input.

19 C. Rulemaking and Public Input.

20 1. No rule, policy, manual, guidance, administrative procedure,
21 or other directive ("Program Rule Changes") relating to OHFA's
22 administration of HOME funds shall become effective without:

23 a. publication in the Oklahoma Register,
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- 1 b. a minimum public comment period of not less than
2 thirty (30) days, and
3 c. consideration of all timely filed comments.

4 2. Retroactive application of any Program Rule Changes shall be
5 prohibited except to the extent expressly required by changes in
6 federal HOME statute or federal regulation. Under no circumstances
7 shall OHFA retroactively apply new rules to HOME awards, contracts,
8 agreements, or commitments already awarded or executed unless
9 required by federal HOME law.

10 D. Participant Rights.

11 1. Eligible nonprofit entities participating in the HOME
12 Program shall not be restricted from using third-party guarantors,
13 loan guaranty arrangements, or other legally recognized risk-sharing
14 mechanisms permitted under federal HOME regulations.

15 2. Nothing in this section shall be construed to limit
16 participants' rights under federal HOME statute or regulations,
17 including but not limited to rights related to compliance,
18 recordkeeping, and performance.

19 3. OHFA shall provide clear written notice, available publicly,
20 of any changes to HOME Program eligibility, standards, written
21 agreements, or requirements at least sixty (60) days prior to
22 implementation. Such notice shall include a specific explanation of
23 any change relative to previous policies.

1 4. Eligible entities are entitled to a minimum developer fee of
2 fifteen percent (15%) with a guaranteed minimum ten percent (10%)
3 drawdown of developer fees with each reimbursement request to cover
4 overhead and operating costs.

5 5. OHFA will remove participation penalties if monitoring
6 findings are resolved within thirty (30) days.

7 6. Participants and the general public are entitled to submit
8 written comments on program policies and procedures and the
9 administration of funding by OHFA staff to the OHFA Executive
10 Director and the OHFA Board of Trustees.

11 7. Nonprofit Community Housing Development Organizations
12 (CHDOs) are guaranteed retention of program proceeds.

13 E. Conflicts; Preemption.

14 1. In the event of any conflict between this section and
15 another provision of state law, this section shall control with
16 respect to OHFA's administration of the federal HOME Program to the
17 extent permitted by federal law.

18 2. OHFA's obligations under this section are subject to
19 compliance with, and shall be interpreted consistently with, federal
20 HOME statute and HUD requirements.

21 SECTION 2. It being immediately necessary for the preservation
22 of the public peace, health or safety, an emergency is hereby
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1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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