

AMENDED IN ASSEMBLY FEBRUARY 4, 2002

AMENDED IN SENATE JANUARY 16, 2002

SENATE BILL

No. 369

Introduced by Senator Dunn

(Coauthors: Assembly Members Correa and Lowenthal)

February 21, 2001

An act to add Chapter 7 (commencing with Section 52075) to Part 5 of Division 31 of the Health and Safety Code, relating to housing, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 369, as amended, Dunn. Multifamily rental and affordable housing: financing.

Prior law, which was repealed on January 1, 2002, authorized any city or county to issue revenue bonds for the purpose of providing financing for multifamily rental housing, and capital improvements related to that housing.

This bill would reenact these provisions, as modified.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ²/₃. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 7 (commencing with Section 52075) is
2 added to Part 5 of Division 31 of the Health and Safety Code, to
3 read:
4

CHAPTER 7. MULTIFAMILY RENTAL HOUSING

Article 1. Financing

52075. (a) Subject to the limitations of this chapter, any city or county may, in addition to any other power conferred by this part, issue revenue bonds as provided in Chapter 4 (commencing with Section 52030) for the purpose of financing the acquisition, construction, rehabilitation, refinancing, or development of multifamily rental ~~and~~ housing and for the provision of capital improvements in connection with and determined necessary to ~~such~~ that multifamily rental housing.

(b) For this purpose, the term “home mortgage,” as used in Chapter 4 (commencing with Section 52030), and as defined by Section 52013, shall be further defined to include construction loans and mortgage loans to housing sponsors to finance the acquisition, construction, rehabilitation, refinancing, or development of multifamily rental housing and for the provision of capital improvements in connection with and determined necessary to the multifamily rental housing.

(c) To the extent possible, Chapter 4 (commencing with Section 52030) shall be construed in a manner that enables a city or county to comply with the purpose and requirements of this chapter.

52075.1. As used in this chapter “city or county” include any city and county.

52076. Subject to the limitations prescribed in this chapter, a city or county may make, or undertake commitments to make, construction loans and mortgage loans to housing sponsors to finance the acquisition, construction, rehabilitation, refinancing, or development of multifamily rental housing. For this purpose, the city or county shall enter into regulatory contracts and other agreements with housing sponsors receiving loans under this chapter to assure all requirements of this chapter are satisfied.

52077. Subject to the limitations prescribed in this chapter, a city or county may purchase, or undertake, directly or indirectly through lending institutions, commitments to purchase, construction loans and mortgage loans originated in accordance with a financing agreement with the city or county to finance the acquisition, construction, rehabilitation, refinancing, or



1 development of multifamily rental housing and may make loans
2 to lending institutions under terms and conditions which, in
3 addition to other provisions determined by the city or county, shall
4 require the lending institutions to use the net proceeds of the loans
5 for the making, directly or indirectly, of ~~constructions~~
6 *construction* loans or mortgage loans to finance the acquisition,
7 construction, rehabilitation, refinancing, or development of
8 multifamily rental housing.

9 52078. For the purposes of this chapter, a city or county shall
10 have the power to issue its bonds to defray, in whole or in part, the
11 costs of studies and surveys, insurance premiums, underwriting
12 fees, legal, accounting, and marketing services incurred in
13 connection with the issuance and sale of bonds, including bond and
14 mortgage reserve accounts; trustee, custodian, and rating agency
15 fees, and any other costs which are reasonably related to the
16 foregoing.

17 52079. A city or county may, in conjunction with the
18 financing of multifamily rental housing pursuant to this chapter,
19 finance the acquisition, construction, rehabilitation, refinancing,
20 or development of commercial property for lease, subject to all of
21 the following conditions:

22 (a) No more than 10 percent of the proceeds of any revenue
23 bonds issued pursuant to this chapter may be used to develop the
24 commercial property for lease.

25 (b) The commercial property developed will be located on the
26 same parcel or on a parcel adjacent to a multifamily rental housing
27 development.

28 (c) As a condition of the financing, any lease payments
29 collected in excess of payments necessary for debt service,
30 operating expenses and any required reserves related to that
31 property, shall be used to reduce rents on units reserved for
32 occupancy by lower income households and very low income
33 households in a multifamily rental housing development.

34 52080. (a) (1) A multifamily rental housing development
35 financed, or for which financing has been extended or committed
36 pursuant to this chapter from the proceeds of sale of each bond
37 issue, shall at all times during the qualified project period meet the
38 requirement of subparagraph (A) or (B), whichever is elected by
39 the issuer at the time of issuance of the issue for each development:



1 (A) Twenty percent or more of the residential units in the
2 development shall be occupied by individuals whose income is 50
3 percent or less of area median income.

4 (B) Forty percent or more of the residential units in the
5 development shall be occupied by individuals whose income is 60
6 percent or less of area median income.

7 As used in this section, “qualified project period,” “income,”
8 and “area median income” shall have the meanings specified in,
9 and shall be determined in accordance with the provisions of,
10 subsection (d) of Section 142 of the Internal Revenue Code of
11 1986, as amended, and United States Treasury regulations and
12 rulings promulgated pursuant thereto.

13 With respect to a development for which the issuer has elected
14 to meet the requirement of subparagraph (A), the rental payments
15 paid by the occupants of the units meeting the requirement of
16 subparagraph (A) (excluding any supplemental rental assistance
17 from the state, the federal government, or any other public agency
18 to those occupants or on behalf of those units) shall not exceed 30
19 percent of 50 percent of area median income. With respect to a
20 development for which the issuer has elected to meet the
21 requirement of subparagraph (B), the rental payments paid by the
22 occupants of the units meeting the requirement of subparagraph
23 (B) (excluding any supplemental rental assistance from the state,
24 the federal government, or any other public agency to those
25 occupants or on behalf of those units) shall not exceed 30 percent
26 of 60 percent of *area* median income.

27 (2) The governing body shall ensure that the local agency
28 issuing permits for the acquisition, construction, rehabilitation,
29 refinancing, or development of the multifamily rental housing
30 development shall consider opportunities to contribute to the
31 economic feasibility of the units and to the provision of units for
32 very low income households through concessions and
33 inducements including, but not limited to, the following:

34 (A) Reductions in construction and design requirements.

35 (B) Reductions in setback and square footage requirements and
36 the ratio of vehicular parking spaces that would otherwise be
37 required.

38 (C) Granting density bonuses.

39 (D) Providing expedited processing of permits.



1 (E) Modifying zoning code requirements to allow mixed use
2 zoning.

3 (F) Reducing or eliminating fees and charges for filing and
4 processing applications, petitions, permits, planning services,
5 water and sewer connections, and other fees and charges.

6 (G) Reducing or eliminating requirements relating to monetary
7 exactions, dedications, reservations of land, or construction of
8 public facilities.

9 (H) Other financial incentives or concessions for the
10 multifamily rental housing development which result in
11 identifiable cost reductions, as determined by the governing body.
12 The governing body shall ensure that the local agency issuing
13 permits for the development considers its responsibilities under
14 this section and makes a good faith effort to enhance the feasibility
15 of the project and to provide housing for lower income households
16 and very low income households.

17 (3) The governing body shall not permit a selection criteria to
18 be applied to certificate holders under Section 8 of the United
19 States Housing Act of 1937 (42 U.S.C. Sec. 1437f) that is more
20 burdensome than the criteria applied to all other prospective
21 tenants.

22 (4) It is the intent of the Legislature that the governing body
23 finance projects that assist in meeting the urgent need for
24 providing shelter for lower income households, very low income
25 households, and persons and families of low or moderate income.
26 To that end, the quality of materials and the amenities provided
27 should not be excessive so as to hinder the prospect of achieving
28 the stated goal. ~~The Legislature finds and declares that the design
29 standards utilized in the past, including, but not limited to, the
30 design requirements adopted to govern the new construction
31 program under Section 8 of the United States Housing Act of 1937
32 (42 U.S.C. Sec. 1437f), are substantially in excess of those
33 required for a decent, healthy, and safe residential unit and intends,
34 by the amendment adding this paragraph to this section by the
35 Statutes of 1985, that cities and counties finance multifamily rental
36 developments with substantially less costly design requirements
37 than those required by the governing body prior to January 1,
38 1986.~~

39 (5) It is the intent of the Legislature that the governing body
40 finance projects that assist in meeting the urgent need for



1 providing ~~shelter~~ *housing* for families. To that end, developments
2 with three- and four-bedroom units affordable to larger families
3 shall have priority over competing developments.

4 (b) As a condition of financing pursuant to this chapter, the
5 housing sponsor shall enter into a regulatory agreement with the
6 city or county providing that units reserved for occupancy by
7 lower income households remain available on a priority basis for
8 occupancy until the bonds are retired. As a condition of financing
9 provided by bonds issued on or after January 1, 1991, the housing
10 sponsor shall enter into a regulatory agreement with the city or
11 county providing that units reserved for occupancy by lower
12 income households remain available on a priority basis for
13 occupancy for the qualified project period. The regulatory
14 agreement shall contain a provision making the covenants and
15 conditions of the agreement binding upon successors in interest of
16 the housing sponsor. The regulatory agreement shall be recorded
17 in the office of the county recorder of the county in which the
18 multifamily rental housing development is located. The regulatory
19 agreement shall be recorded in the grantor-grantee index to the
20 name of the property owner as grantor and to the name of the city
21 or county as grantee.

22 (c) The governing body shall ensure that units occupied by
23 lower income households are of comparable quality and offer a
24 range of sizes and number of bedrooms comparable to the units
25 that are available to other tenants.

26 (d) (1) The city or county shall give priority to processing
27 construction loans and mortgage loans or may take other steps such
28 as reducing loan fees or other local fees for multifamily rental
29 developments which incorporate innovative and energy-efficient
30 techniques that reduce development or operating costs and that
31 have the lowest feasible per unit cost, as determined by the city or
32 county, based on efficiency of design or the elimination of
33 improvements that are not required by applicable building
34 standards.

35 (2) The city or county shall give equal priority to processing
36 construction loans and mortgage loans or may take other steps such
37 as reducing loan fees or other local fees on multifamily rental
38 housing developments that do any of the following:

39 (A) Utilize federal housing or development assistance.



1 (B) Utilize redevelopment funds or other local financial
2 assistance, including, but not limited to, contributions of land.

3 (C) Are sponsored by a nonprofit housing organization.

4 (D) Provide a significant number of housing units, as
5 determined by the city or county, as part of a coordinated jobs and
6 housing plan adopted by the city or county.

7 (E) Exceeds the ratios specified in subparagraph (A) or (B) of
8 paragraph (1) of subdivision (a) or restricts the occupancy for these
9 units for the longest period beyond the required minimum number
10 of years.

11 (e) (1) New and existing rental housing developments may be
12 syndicated after prior written approval of the governing body. The
13 governing body shall grant that approval only after the city or
14 county determines that the terms and conditions of the syndication
15 comply with this section.

16 (2) The terms and conditions of the syndication shall not reduce
17 or limit any of the requirements of this chapter or regulations
18 adopted or documents executed pursuant to this chapter. No
19 requirements of the city or county shall be subordinated to the
20 syndication agreement. A syndication shall not result in the
21 provision of fewer assisted units, or the reduction of any benefits
22 or services, than were in existence prior to the syndication
23 agreement.

24 (f) At the option of the city or county, the amendments to this
25 subdivision made by Chapter 907 of the Statutes of 1983 may be
26 made applicable to any multifamily rental housing development
27 financed by the issuance, on or after September 3, 1982, of bonds
28 authorized by this chapter.

29 (g) Following the expiration or termination of the qualified
30 project period, except in the event of foreclosure and redemption
31 of the bonds, deed in lieu of foreclosure, eminent domain, or action
32 of a federal agency preventing enforcement, units required to be
33 reserved for occupancy pursuant to subdivision (a) and financed
34 with proceeds of bonds issued on or after January 1, 1991, shall
35 remain available to any eligible household occupying a reserved
36 unit at the date of expiration or termination, at a rent not greater
37 than the amount set forth by subdivision (a), until the earliest of
38 any of the following occur:

39 (1) The household's income exceeds 140 percent of the
40 maximum eligible income specified in subdivision (a).



1 (2) The household voluntarily moves or is evicted for “good
2 cause.” “Good cause” for the purposes of this section, means the
3 nonpayment of rent or allegation of facts necessary to prove major,
4 or repeated minor, violations of material provisions of the
5 occupancy agreement which detrimentally affect the health and
6 safety of other persons or the structure, the fiscal integrity of the
7 development, or the purposes or special programs of the
8 development.

9 (3) Thirty years after the date of the commencement of the
10 qualified project period.

11 (4) The sponsor pays the relocation assistance and benefits to
12 tenants as provided in subdivision (b) of Section 7264 of the
13 Government Code.

14 (h) During the three years prior to expiration of the qualified
15 project period, the sponsor shall continue to make available to
16 eligible households reserved units that have been vacated to the
17 same extent that nonreserved units are made available to
18 noneligible households.

19 (i) This section shall not be construed to require a city or county
20 to monitor the sponsor’s compliance with the provisions of
21 subdivision (g).

22 (j) The requirements of subdivisions (g) to (i), inclusive, ~~of this~~
23 ~~section~~ shall be contained in a regulatory agreement required
24 pursuant to subdivision (b).

25 (k) Notwithstanding Section 1461 of the Civil Code, the
26 provisions of this section shall run with the land and may be
27 enforced either in law or in equity by any resident, local agency,
28 entity, or by any other person adversely affected by an owner’s
29 failure to comply with ~~the provisions of~~ this section.

30 52080.5. (a) (1) When refunding revenue bonds for
31 multifamily housing which were previously issued pursuant to
32 Section 52080, the city, county, or city and county shall ensure that
33 rental units required, by this chapter or by applicable federal law
34 at the time the original bonds were issued, to be reserved for
35 occupancy for low- and very low income households shall remain
36 occupied by, or made available to, those persons at least until the
37 later of the following:

38 (A) The date originally so required.

39 (B) As long as any bonds remain outstanding with respect to the
40 development.



1 (2) For bonds previously issued to finance a development
2 where all of the units, other than management units, are, at the time
3 of the refunding, subsidized by a housing assistance payments
4 contract for new construction and substantial rehabilitation
5 pursuant to Section 8 of the United States Housing Act of 1937 (42
6 U.S.C. Sec. 1437f), subparagraph (B) of paragraph (1) shall refer
7 to a period of time until the termination of the contract.

8 (b) The city, county, or city and county may determine that the
9 period set forth in paragraph (1) of subdivision (a) shall not apply
10 to the refunding of previously issued revenue bonds for which
11 there is a mandatory redemption or acceleration as a result of
12 default under the terms of the existing loan agreement or other
13 security documents.

14 52081. For purposes of this article, “housing sponsor” means
15 a person as defined in Section 52016.

16 52085. The primary purpose of this chapter is to meet the
17 multifamily rental housing needs of persons and families of low
18 or moderate income. The exercise of the powers granted by this
19 division shall be in all respects for the benefit of the people of this
20 state and for their health and welfare. Therefore, any bonds issued
21 by a city, county, or city and county pursuant to this chapter, their
22 transfer, and the income therefrom shall at all times be free from
23 taxation by the state or any political subdivision or other
24 instrumentality of the state, excepting inheritance and gift taxes.

25 52086. Two or more cities in the same county, or a county and
26 one or more cities within the county, or two or more counties, may
27 enter into an agreement to join or cooperate with one another in the
28 exercise jointly, or otherwise, of any or all of their powers for the
29 purpose of financing multifamily rental housing development
30 pursuant to this chapter.

31 52087. The same notice requirements specified in Section
32 65863.10 of the Government Code shall apply to multifamily
33 rental housing that receives financial assistance pursuant to this
34 chapter.

35

36

Article 2. State Assistance

37

38 52090. This article constitutes an alternative method for cities
39 and counties to issue bonds for making construction loans and



1 mortgage loans for multifamily rental housing developments
2 pursuant to the provisions of this chapter.

3 52090.5. The agency and any city or county may enter into an
4 agreement which provides that the agency may sell bonds
5 authorized pursuant to Chapter 4 (commencing with Section
6 52030) for the city or county and operate a program with the
7 proceeds of the sale for the purpose of providing funds for
8 construction loans and mortgage loans for multifamily rental
9 housing developments within the city or county and for the
10 provision of capital improvements in connection with and
11 determined necessary to the multifamily rental housing.

12 52091. Any agreement made pursuant to Section 52090.5
13 shall contain all of the following provisions:

14 (a) Limitations on the maximum amount of bonds to be issued
15 by a city or county.

16 (b) A requirement that all bonds and any prospectus in
17 connection with the bonds contain a legend condition to the
18 following effect: “Neither the faith and credit of the State of
19 California or the agency nor the taxing power of the state is
20 pledged to the payment of principal or interest on this bond.”

21 (c) A requirement that the agency approve the bond counsel
22 selected by the city or county.

23 (d) The designation of criteria for multifamily rental housing
24 developments eligible for financing; the number of units which
25 shall be available for occupancy by persons of low income, which
26 shall not be less than 20 percent of the total units; the amount to
27 be allocated to a bond reserve fund; and, any other matters which
28 the agency finds necessary or desirable.

29 (e) That the agency shall make construction loans and
30 mortgage loans for multifamily rental housing developed within
31 the city or county.

32 (f) That the agency shall supervise all construction and
33 management of multifamily rental housing developments
34 financed pursuant to this chapter on behalf of the city or county,
35 and with the same powers and duties under this chapter, to ensure
36 that all requirements of this part are met.

37 52091.5. Bonds issued pursuant to this article shall not be
38 deemed bonds of the agency for the purposes of any limitations
39 contained in Section 51350.



1 52092. The agency shall adopt uniform regulations for
2 administration of local programs under this article. Local
3 programs conducted by the agency under this article shall be
4 administered in a manner consistent with this chapter.

5
6 Article 3. Miscellaneous
7

8 52095. Whenever a complaint is received concerning a
9 violation of the restrictions imposed pursuant to Section 52080,
10 the city or county shall investigate promptly and make a report to
11 the complaining party on whether the violation existed and
12 whether it persists, and if it persists, what action the city or county
13 will take to remedy the violation. When the city or county
14 determines that a violation exists, whether determined upon an
15 investigation of a complaint or on its own motion, the city or
16 county shall take all appropriate action, including necessary legal
17 action, to promptly eliminate the violation.

18 Notwithstanding any provision of this section, any person
19 aggrieved by a violation may seek a judicial remedy without
20 regard to whether a complaint has been made to the city or county
21 or whether the city or county is then taking any action to remedy
22 the violation.

23
24 Article 4. Application to Chartered Cities
25

26 52097. Except as otherwise provided in this article, this
27 chapter shall not be construed to limit or otherwise restrict the
28 authority of chartered cities to issue bonds for the purpose of
29 financing the acquisition, construction, rehabilitation,
30 refinancing, or development of multifamily rental housing or for
31 the provision of capital improvements in connection with and
32 determined necessary to that multifamily rental housing. For
33 purposes of this article, certificates of participation in any form of
34 obligation of a city, county, or city and county shall be considered
35 to be bonds.

36 ~~52097.5. (a) At least 30 days prior to issuing bonds pursuant~~
37 ~~to this chapter, a charter provision, or an ordinance for the~~
38 ~~purposes specified in Section 52097, an issuer shall notify the~~
39 ~~Mortgage Bond and Tax Credit Allocation Committee in writing~~
40 ~~that the issuer intends to issue bonds pursuant to this chapter or~~

1 such other authority. The notification shall specify the amount of
2 bonds expected to be issued, the development or developments to
3 be financed, and the development or developments, if any, that are
4 subject to the restriction on occupancy described in subdivision
5 (d). The Mortgage Bond and Tax Credit Allocation Committee
6 shall advise the issuer of the aggregate amount of bonds previously
7 issued in the calendar year pursuant to this chapter, charter
8 provisions, or ordinances.

9 (b) An issuer shall certify to the Mortgage Bond and Tax Credit
10 Allocation Committee, at the time of filing the notification of
11 intent to issue, that it has in an escrow specifically established for
12 the purpose, an amount equal to 1 percent of the amount of bonds
13 expected to be issued for developments other than developments
14 to be owned by nonprofit or public entities. To the extent that
15 bonds are not issued for the development or developments before
16 the later of the end of the calendar year in which the notification
17 of intent was filed or the passage of nine months during which
18 amounts were available for the issuance under subdivision (d), a
19 pro rata proportion of the amount in the escrow shall be forwarded
20 to the Mortgage Bond and Tax Credit Allocation Committee for
21 immediate deposit in the Rental Housing Construction Fund
22 established pursuant to Section 50740. To the extent that bonds are
23 issued for the development or developments, or notwithstanding
24 the preceding sentence, are not issued during the periods specified
25 in the preceding sentence for reasons beyond the control of the
26 issuer or the developer, as determined by the issuer, the amount in
27 escrow may be released by the issuer to the appropriate person or
28 entity and not forwarded to the committee for deposit in that fund.

29 (c) Within five days, exclusive of weekends and holidays, of
30 the issuance of bonds pursuant to this chapter, a charter provision,
31 or a ordinance for the purposes specified in Section 52097, the city,
32 county, or city and county shall notify the Mortgage Bond and Tax
33 Credit Allocation Committee of the amount of the bonds issued.

34 (d) The maximum aggregate amount of bonds which may be
35 issued pursuant to this chapter, charter provisions, or ordinances
36 for the purposes specified in Section 52097, shall not exceed one
37 billion five hundred million dollars (\$1,500,000,000) in any
38 calendar year.

39 (e)



1 52097.5. (a) Multifamily rental housing development
2 financed, or for which financing has been extended or committed,
3 pursuant to this chapter from the proceeds of sale of each bond
4 issue shall at all times during the qualified project period meet the
5 requirement of paragraph (1) or (2), whichever is elected by the
6 issuer at the time of issuance of the issue for each development:

7 (1) Twenty percent or more of the residential units in the
8 development shall be occupied by individuals whose income is 50
9 percent or less of area median income.

10 (2) Forty percent or more of the residential units in the
11 development shall be occupied by individuals whose income is 60
12 percent or less of area median income.

13 As used in this subdivision, “qualified project period,”
14 “income,” and “area median income” shall have the meanings
15 specified in, and shall be determined in accordance with the
16 provisions of, subsection (d) of Section 142 of the Internal
17 Revenue Code of 1986, as amended, and United States Treasury
18 regulations and rulings promulgated pursuant thereto.

19 ~~With~~

20 (b) *With* respect to a development for which the issuer has
21 elected to meet the requirement of paragraph (1) of subdivision (a),
22 the rental payments paid by the occupants of the units meeting the
23 requirement of paragraph ~~(2)~~ (1) of subdivision (a) (excluding any
24 supplemental rental assistance from the state, the federal
25 government, or any other public agency to those occupants or on
26 behalf of those units) shall not exceed 30 percent of 50 percent of
27 area median income.

28 ~~With~~

29 (c) *With* respect to a development for which the issuer has
30 elected to meet the requirement of paragraph (2) of subdivision (a),
31 the rental payments paid by the occupants of the units meeting the
32 requirement of paragraph (2) of subdivision (a) (excluding any
33 supplemental rental assistance from the state, the federal
34 government, or any other public agency to those occupants or on
35 behalf of those units) shall not exceed 30 percent of 60 percent of
36 area median income.

37 ~~(f) No city, county, or city and county may issue any bonds until~~
38 ~~any information required to be filed pursuant to Section 8855.5 of~~
39 ~~the Government Code has been filed with the California Debt~~
40 ~~Advisory Commission and the Treasurer certifies to the~~



1 ~~Legislature that the city, county, or city and county has filed that~~
2 ~~information. Section 52098 shall not apply to bonds issued on or~~
3 ~~after January 1, 1986.~~

4 52098. Each city, county, and city and county that has issued
5 bonds pursuant to this chapter or a charter provision or ordinance
6 for the purposes specified in Section 52097; shall file a report
7 annually, on or before March 1, with the Governor, the Legislature,
8 and the department, which report shall include all of the following
9 information:

10 (a) The total amount of bonds issued by the city, county, or
11 city and county pursuant to this chapter or another authority.

12 (b) The total number of units in multifamily rental housing
13 developments financed pursuant to this chapter or another
14 authority.

15 (c) The total number of units in multifamily rental housing
16 developments reserved for occupancy on a priority basis for lower
17 income households.

18 (d) The total number of units, if any, in a multifamily rental
19 housing development reserved for occupancy on a priority basis
20 for very low income households.

21 SEC. 2. This act is an urgency statute necessary for the
22 immediate preservation of the public peace, health, or safety
23 within the meaning of Article IV of the Constitution and shall go
24 into immediate effect. The facts constituting the necessity are:

25 A number of affordable multifamily housing developments that
26 are currently being processed would be adversely affected by the
27 failure of the Legislature to reinstate the Multifamily Housing
28 Program.

