



# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 1358

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H.P. 872

House of Representatives, March 28, 2023

### **An Act to Clarify Density Requirements for Affordable Housing Developments**

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Reference to the Joint Select Committee on Housing suggested and ordered printed.

*Robert B. Hunt*  
ROBERT B. HUNT  
Clerk

Presented by Representative KUHN of Falmouth.  
Cosponsored by Senator BRENNER of Cumberland and  
Representatives: GATTINE of Westbrook, GERE of Kennebunkport, GOLEK of Harpswell,  
MALON of Biddeford, MORIARTY of Cumberland, MURPHY of Scarborough, STOVER of  
Boothbay, ZAGER of Portland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 30-A MRSA §4364, sub-§1**, as enacted by PL 2021, c. 672, §4, is amended  
3 to read:

4 **1. Definition.** For the purposes of this section, "affordable housing development"  
5 means:

6 A. For rental housing, a development in which a household whose income does not  
7 exceed 80% of the median income for the area as defined by the United States  
8 Department of Housing and Urban Development under the United States Housing Act  
9 of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford a majority  
10 of the units ~~that the developer designates as affordable~~ in the development without  
11 spending more than 30% of the household's monthly income on housing costs; and

12 B. For owned housing, a development in which a household whose income does not  
13 exceed 120% of the median income for the area as defined by the United States  
14 Department of Housing and Urban Development under the United States Housing Act  
15 of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford a majority  
16 of the units ~~that the developer designates as affordable~~ in the development without  
17 spending more than 30% of the household's monthly income on housing costs.

18 **SUMMARY**

19 This bill changes the definition of "affordable housing development" in the laws  
20 governing affordable housing density to provide that an affordable housing development is  
21 a development in which a household whose income does not exceed certain levels can  
22 afford a majority of the units in the development without spending more than 30% of the  
23 household's monthly income on housing costs.