

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1665

By: Ross

COMMITTEE SUBSTITUTE

An Act relating to state government; enacting the Oklahoma Housing Act; providing short title; defining terms; creating the Oklahoma Housing Commission; providing for membership, officer, meetings, quorums, powers, duties and responsibilities of the Commission; requiring certain notice; requiring certain reports; specifying information to be included in the reports; providing for distribution of the reports; authorizing the charging of certain fees; modifying certain report requirements; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2902.1 of Title 74, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Oklahoma Housing Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2902.2 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. As used in the Oklahoma Housing Act:

1. "Comprehensive case management" means:

- a. the assessment of the needs of an individual or family,
- b. the development and implementation of an employability plan for the individual that accounts for family circumstances,
- c. the coordination and monitoring of service delivery,
- d. the evaluation of service effectiveness, and

e. the reassessment of the needs of the individual or the family;

2. "Low income individual or family" means any individuals or families whose incomes do not exceed eighty percent (80%) of the median income for the area, as determined by HUD with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than eighty percent (80%) of the median for the area on the basis of HUD's findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes;

3. "Self-sufficiency program" means a job opportunity and basic skills training program designed to ensure that persons receiving housing assistance obtain the education, training, and employment that will help such persons avoid long-term dependency on such assistance; and

4. "Commission" means the Oklahoma Housing Commission, created in Section 3 of this act.

B. The Department of Human Services, the Department of Mental Health and Substance Abuse Services, the Oklahoma Department of Commerce, the Oklahoma Housing Finance Agency and any state agency with housing services may cooperate with federal government programs or any other public or private entity or person in providing housing or assistance for housing to low income individuals or families who are in need of housing.

C. As funds are available, all state agencies specified in this section and any other state agency with housing services, in accordance with state and federal law, may provide resources to local government agencies, local housing authorities or nonprofit agencies to lease vacant housing units which are subject to government control or which have been donated by any public or private entity for use by low income individuals or families who are in need of housing.

D. Any agreement entered into pursuant to this section between a state agency and a local public or private nonprofit agency or housing authority shall require the local agency or

authority to supervise the person to be served and secure an enforceable agreement requiring the person to be served to maintain the leased property. A violation of this agreement may result in termination of the agreement and eviction from such leased property pursuant to Section 132 of Title 41 of the Oklahoma Statutes.

E. In accordance with state and federal law, state agencies specified in this section and any other state agency with housing services may solicit government funds and grants, seek private resources, and receive and distribute private, state and federal funds to local public or private nonprofit agencies or housing authorities to provide housing or assistance for housing or housing services as provided for in this section. The local agency or authority may require the person residing in the leased property to participate in the payment of utilities, repair and maintenance to the extent possible.

F. The State of Oklahoma, or any agency or subdivision thereof, shall not be liable for utility costs, repairs, insurance, building or yard maintenance, or other costs associated with any house to which this section pertains, in excess of the amount specifically appropriated therefore, allocated thereto by the agency or subdivision, and not encumbered for any other purpose.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2902.3 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created until July 1, 1999, in accordance with the Oklahoma Sunset Law, the "Oklahoma Housing Commission". The Commission shall be composed of the following members:

1. The Director of the Oklahoma Housing Finance Agency or designee, who shall serve as Chairperson;

2. The Director of the Department of Human Services or designee;

3. The Commissioner of the Department of Mental Health and Substance Abuse Services or designee;

4. The Director of the Oklahoma Department of Commerce or designee; and

5. The Director or designee of any other agency of the state who administers housing programs or who provides housing services for low income individuals or families.

B. The Commission shall meet quarterly at the call of the Chairperson. The meetings shall comply with the Open Meeting Act. A quorum of the Commission shall consist of a majority of the members serving thereon.

C. The Commission shall have the following powers, duties and responsibilities:

1. To review the reports which were submitted by each member prior to the meeting;

2. To compile a quarterly report containing the findings and recommendations agreed upon by the majority of the members on the Commission;

3. To use the resources made available in the member's agency to provide as accurate information as possible to assist in the recommendations concerning better use of resources to provide housing to the low income individuals and families;

4. To cooperate to the highest extent possible with each other member of the Commission and the Commission as a whole in developing a workable plan to provide housing to low income individuals and families; and

5. To provide recommendations for any legislation deemed necessary to be included in the report submitted by the Chairperson to the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Governor.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2902.4 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. Each member of the Commission shall submit a report as specified in this section to the Chairperson upon request of the Chairperson. The Chairperson shall give notice to each member of the Commission to provide such report at least fifteen (15) days prior to each meeting. The report shall provide all information

on any grants, donations, appropriated funds and any other funds received by that agency concerning providing housing to low income individuals and families. The report shall provide detailed information which shall include but not be limited to the number of persons assisted by income category and the expenditure of any of the funds specified in this subsection which were expended on providing housing to low income individuals and families. The Chairperson shall send a copy of each report to the other members of the Commission. The Chairperson shall also provide a copy of such reports to any member of the public upon written request and the payment of any copying fee authorized by the Oklahoma Open Records Act.

B. On or before February 1 of each year, the member of the Commission from each state agency participating in providing housing pursuant to the provisions of the "Oklahoma Housing Act" shall assist the Chairperson of the Commission created in Section 3 of this act in providing a written report to the Speaker of the House of Representatives, the President Pro Tempore of the Senate and the Governor specifying in detail the assistance provided, the agency or program pursuant to which such assistance was provided, any funds provided to and any expenditures made from such funds provided to each agency specifically for providing housing to low income individuals and families, and any other relevant information related to such programs, and any recommendations for legislation the Commission deems necessary for the best and most efficient housing for low income individuals and families.

SECTION 5. This act shall become effective July 1, 1993.

SECTION 6. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.