

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

HOUSE JOINT
RESOLUTION NO. 1086

By: Webb

AS INTRODUCED

A Joint Resolution disapproving and deleting all existing and proposed rules of the Oklahoma Housing Finance Authority relating to the Oklahoma Housing Finance Authority's organization, administrative procedure, application and review processes, disbursement of federal tax credits to housing project developers pursuant to minimal, regulatory criteria also delineated in Title 330 of the Oklahoma Administrative Code; directing distribution; and declaring an emergency.

WHEREAS, pursuant to Sections 250.2 and 308 of Title 75 of the Oklahoma Statutes, the Legislature has reserved the right to determine that any agency rule, existing or proposed, is inconsistent with legislative intent and has reserved the right to disapprove or revoke all of an agency's rules or any portion thereof; and

WHEREAS, on March 25, 1994, the Oklahoma Housing Finance Authority did adopt amendments to Chapter 36 of Title 330 of the Oklahoma Administrative Code, which relate to low-income housing tax credit determination and disbursement; and

WHEREAS, the Oklahoma Housing Finance Authority has promulgated many other rules which are already effective and are contained in Title 330 of the Oklahoma Administrative Code; and

WHEREAS, Oklahoma law, pursuant to Section 250 et seq. of Title 75 of the Oklahoma Statutes, authorizes the Oklahoma Housing Finance Authority to promulgate rules relating to the administrative

organization and authority of the agency, as well as rules for implementation of Section 42 of the Internal Revenue Code; and

WHEREAS, all of the rules of the Oklahoma Housing Finance Authority, Title 330 of the Oklahoma Administrative Code in its entirety, and the proposed amendments to Title 330 of the Oklahoma Administrative Code, do not reflect the intent of the Legislature or the policies and laws of this state, because the rules do not contain the necessary procedural and regulatory safeguards for the Oklahoma Housing Finance Authority to administer and regulate effectively.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 2ND SESSION OF THE 44TH OKLAHOMA LEGISLATURE:

SECTION 1. All existing rules and all proposed rules and rule changes of the Oklahoma Housing Finance Authority are hereby revoked, deleted, and disapproved by the Oklahoma Legislature.

SECTION 2. Title 330 of the Oklahoma Administrative Code is hereby revoked and deleted in its entirety, leaving the Oklahoma Housing Finance Authority with no administrative rules, procedural or substantive.

SECTION 3. The Secretary of State is hereby directed to distribute copies of this resolution to the Governor, the Oklahoma Housing Finance Authority and the editor of "The Oklahoma Register".

SECTION 4. 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.

44-2-L9842

PS