

ENROLLED HOUSE  
BILL NO. 2316

By: Kirby, Benson,  
Deutschendorf and Glover  
of the House

and

Helton and Maddox of the  
Senate

An Act relating to public housing authorities;  
amending 63 O.S. 1991, Section 1056, which relates  
to certain elections; modifying effect of election  
for limitation of powers exercised by certain  
housing authorities; providing for restoration of  
powers after certain period; and providing an  
effective date.

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

SECTION 1. AMENDATORY 63 O.S. 1991, Section 1056, is  
amended to read as follows:

Section 1056. ~~(a)~~ A. 1. Upon the filing of a petition by five  
percent (5%) of the qualified voters of the city or county, as the  
case may be, asserting there is need for limiting an authority to  
its existing operations and prohibiting such authority from engaging  
in additional projects or additions to existing projects, or upon  
its own motion, the governing body of that city or county, as the  
case may be, shall call an election of the qualified voters residing  
in the area of the authority for the purpose of deciding whether or  
not the authority shall be limited to its existing operations and  
prohibited from engaging in additional projects or additions to  
existing projects.

~~(b)~~ 2. The date for such election shall be set by the governing  
body by resolution; provided, that such election shall be held not  
less than eight (8) weeks nor more than twelve (12) weeks after the  
date such petition is filed.

B. If a protest to such petition is filed, the burden of  
proving the insufficiency of such petition shall be upon the  
protestants. The hearing on such protest shall be held and the  
protest decided by the governing body within four (4) weeks after  
the filing thereof.

C. 1. At such election the question before the voters shall  
be:

Shall the Public Housing Authority of \_\_\_\_\_ be limited to  
its existing operations and ~~shall it be~~ prohibited from engaging in  
additional projects ~~and prohibited from~~ or making additions to  
existing projects?

( ) YES

( ) NO

2. The question shall be decided by a majority of those voting  
thereon.

~~(c)~~ D. The authority shall be limited to its existing  
operations and prohibited from engaging in additional projects or

additions to existing projects upon certification that a majority of those voting thereon have voted in the affirmative.

~~(d)~~ E. 1. If an authority has been so limited and prohibited as a result of such an election, ~~then upon~~ the filing of a petition by five percent (5%) of the qualified voters of the city or county, as the case may be, asserting that there is a need for restoring the power of an authority to engage in additional projects and additions to existing projects, the governing body shall, by resolution, call an election of the qualified voters residing in the area of the authority for the purpose of deciding whether such power shall be restored.

2. Such election shall be held not less than eight (8) weeks nor more than twelve (12) weeks after the date such petition is filed.

3. If a protest to such petition is filed, the burden of proving the insufficiency of such petition shall be upon the protestants. The hearing on such protest shall be held and the protest decided by the governing body within four (4) weeks after the filing thereof.

4. At such election the question before the voters shall be:

a. Shall the power of the Public Housing Authority of \_\_\_\_\_ to engage in additional projects and to make additions to existing projects be restored?

( ) YES

( ) NO

b. The question shall be decided by a majority of those voting thereon.

~~(e)~~ F. No election under ~~(b)~~ subsection C or ~~(d)~~ E of this section shall be called or held within twelve (12) months after the last election thereunder.

G. A public housing authority whose powers have been limited by an election held pursuant to this section prior to November 1, 1998, shall have its powers fully restored by operation of law if a period of at least fifteen (15) years has elapsed from the date the election results were certified.

SECTION 2. This act shall become effective November 1, 1998.

Passed the House of Representatives the 6th day of April, 1998.

Speaker of the House of  
Representatives

Passed the Senate the 30th day of March, 1998.

President of the Senate