

SHORT TITLE: Public health and safety; restoration of Public
Housing Authority Powers; effective date.

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

SENATE BILL NO. 872

By: Helton

AS INTRODUCED

An Act relating to public health and safety; amending 63 O.S. 1991, Section 1056, which relates to petitions and elections to discontinue construction of certain projects; clarifying language; providing for restoration of certain powers of Public Housing Authorities; clarifying references; 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 making 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:~~

a. following a period of three (3) years after such election the authority shall have its powers restored,
or

b. 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.

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

46-2-1868

CJ