

and

Dorman and Richardson of  
the House

An Act relating to the Kiowa Housing Authority; making legislative findings; authorizing the Kiowa Tribe to assume management and control of the state agency Kiowa Housing Authority; requiring passage of certain resolution and filing in certain offices to transfer management and control; providing for noncodification; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

A. The Oklahoma Legislature hereby finds that, under the authority of Section 1057 of Title 63 of the Oklahoma Statutes a state agency Housing Authority for the Kiowa Tribe has been operating a Housing Authority Program in the operating area of the Tribe for the benefit of members of the Kiowa Tribe; the state agency Kiowa Housing Authority has been funded exclusively with federal funds provided for the purpose of providing housing for members of the Kiowa Tribe; the state agency Kiowa Housing Authority has at all times been managed by tribal members appointed by the tribe's governing head; at the time the state agency Kiowa Housing Authority began operating, the Tribe was not eligible to receive federal funding for housing authority purposes. The Kiowa Tribe is now eligible to receive federal housing authority funds, and has received such funds for several years, and has created a tribal housing authority for the purpose of providing housing to its tribal members; federal monies are no longer provided to the state agency Kiowa Housing Authority; both the state agency Kiowa Housing Authority and the tribal housing authority wish to consolidate into

the tribal housing authority; and the Tribal Housing Authority wishes to take over the state agency housing authority programs, and assume all liability and assets of the state agency Kiowa Housing Authority.

B. The Kiowa Tribe is hereby empowered to undertake, manage and control the programs of the state agency Kiowa Housing Authority and to assume the liabilities of the state agency Kiowa Housing Authority and receive the assets of the state agency Kiowa Housing Authority.

The governing counsel of the Kiowa Tribe may exercise the power herein provided, by adopting an ordinance or resolution to undertake, manage and control the state agency Kiowa Housing Authority programs; such resolution or ordinance must provide that the tribal housing authority is assuming both the assets and liabilities of the state housing authority, and will continue to provide housing programs for members of the Tribe.

Upon the filing of such a resolution or ordinance with both the Oklahoma Secretary of State's office and the county clerk's office in Caddo County, the management and control of the state agency Kiowa Housing Authority, together with ownership of all the housing authority's assets and liabilities, shall transfer to the Kiowa Tribe Housing Authority, and the state agency Kiowa Housing Authority shall cease to exist. No further action on the state's part is necessary to transfer title of all state agency housing authority real property to the tribal housing authority. The filing of a copy of this statute, a certified copy of the tribal resolution or ordinance and legal description of the land(s) shall transfer title.

SECTION 2. 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.

Passed the Senate the 7th day of March, 2005.

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Presiding Officer of the Senate

Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
2005.

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Presiding Officer of the House  
of Representatives