

1 ENGROSSED HOUSE
2 BILL NO. 1820

By: McPeak, Billy, Denney,
Turner and Shoemake of the
House

3
4 and

Ballenger of the Senate

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8 An Act relating to the Muscogee (Creek) Nation
9 Housing Authority; amending Section 1, Chapter 119,
10 O.S.L. 2006, which relates to authorization for the
11 Muscogee (Creek) Nation to assume management and
12 control of the state agency, Muscogee (Creek) Nation
13 Housing Authority; adding adoption of certain
14 cooperation and payment in lieu of tax agreements as
15 requirement; and declaring an emergency.

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

17 SECTION 1. AMENDATORY Section 1, Chapter 119, O.S.L.
2006, is amended to read as follows:

18 Section 1. A. The Oklahoma Legislature hereby finds that,
19 under the authority of Section 1057 of Title 63 of the Oklahoma
20 Statutes a state agency, Muscogee (Creek) Nation Housing Authority,
21 has been operating a housing authority program in the operating area
22 of the Muscogee (Creek) Nation for the benefit of its members. The
23 state agency housing authority has been funded exclusively with
24 federal funds provided for the purpose of providing housing for

1 members of the Muscogee (Creek) Nation. The state agency housing
2 authority has at all times been managed by tribal members appointed
3 by the tribe's governing head. At the time the state agency housing
4 authority began operating, the Muscogee (Creek) Nation was not
5 eligible to receive federal funding for housing authority purposes.
6 The Muscogee (Creek) Nation is now eligible to receive federal
7 housing authority funds, has received such funds for several years,
8 and has created a tribal housing authority for the purpose of
9 providing housing to its tribal members. Federal monies are no
10 longer provided to the state agency, Muscogee (Creek) Nation Housing
11 Authority. Both the state agency housing authority and the tribal
12 housing authority wish to consolidate into the tribal housing
13 authority; and the tribal housing authority wishes to take over the
14 state agency housing authority programs and assume all liability and
15 assets of the state agency, Muscogee (Creek) Nation Housing
16 Authority, including liabilities set forth in local cooperation
17 agreements and payment in lieu of tax agreements that were in place
18 as of June 1, 2006, with cities, counties, or other political
19 subdivisions.

20 B. The Muscogee (Creek) Nation is hereby empowered to
21 undertake, manage and control the programs of the state agency,
22 Muscogee (Creek) Nation Housing Authority and to enter into local
23 cooperation agreements and payment in lieu of tax agreements which
24 are similar in scope and content to those that were previously

1 executed by the state agency housing authority, and to assume the
2 liabilities of the state agency housing authority and receive the
3 assets of the state agency housing authority.

4 The governing counsel of the Muscogee (Creek) Nation may
5 exercise the power herein provided by adopting an ordinance or
6 resolution to undertake, manage and control the state agency housing
7 authority programs. Such resolution or ordinance must provide that
8 the tribal housing authority is assuming both the assets and
9 liabilities of the state housing authority, is entering into local
10 cooperation agreements and payment in lieu of tax agreements that
11 are similar in scope and content to those that were previously
12 executed by the state agency housing authority, and will continue to
13 provide housing programs for members of the tribe.

14 Upon the filing of such a resolution or ordinance with both the
15 Oklahoma Secretary of State's office and the county clerk's office
16 in Okmulgee County, the management and control of the state agency,
17 Muscogee (Creek) Nation Housing Authority, together with ownership
18 of all the housing authority's assets and liabilities, shall
19 transfer to the tribal Muscogee (Creek) Nation Housing Authority;
20 and the state agency, Muscogee (Creek) Nation Housing Authority,
21 shall cease to exist. No further action on the state's part is
22 necessary to transfer title of all state agency housing authority
23 real property to the tribal housing authority. The filing of a copy
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