

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               1st Session of the 59th Legislature (2023)

4   ENGROSSED SENATE  
5   BILL NO. 580

By: Hall of the Senate

and

Wallace of the House

6  
7  
8  
9       An Act relating to housing; amending 63 O.S. 2021,  
10      Section 1054, which relates to definitions used in  
11      the Oklahoma Housing Authorities Act; modifying  
12      definition; providing an effective date; and  
13      declaring an emergency.

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

15       SECTION 1.       AMENDATORY       63 O.S. 2021, Section 1054, is  
16      amended to read as follows:

17       Section 1054. The following terms, wherever used or referred to  
18      in this act, shall have the following respective meanings, unless a  
19      different meaning clearly appears from the context:

20       ~~(a)~~ 1. "Authority" means any public body corporate and politic  
21      created by this act~~;~~;

22       ~~(b)~~ 2. "City" means any incorporated city or town in the state.  
23      "County" means any county in the state~~;~~;

~~(e)~~ 3. "Governing body" means, in the case of a city, the

council or other governing body of the city in which is vested

legislative authority customarily imposed on the city council, and,

in the case of a county, the board of county commissioners~~;~~;

~~(d)~~ 4. "Mayor" means the mayor of the city or the officer

thereof charged with the duties customarily imposed on the mayor or

executive head of a city~~;~~;

~~(e)~~ 5. "Clerk" means the city clerk or the county clerk, as the

case may be~~;~~;

~~(f)~~

6. "Area of operation" means:

~~(1)~~

a. in the case of an authority of a city, the city and

the area within one (1) mile of the territorial

boundaries thereof, except that the area of operation

of an authority of any city shall not include any area

which lies within the territorial boundaries of some

other city~~;~~;

~~(2)~~

b. in the case of an authority of a county, all of the

county for which it is created: Provided, that a

county authority shall not undertake any project

within the boundaries of any city unless a resolution

shall have been adopted by the governing body of the

1 city and by any authority which shall have been  
2 theretofore established and authorized to exercise its  
3 powers in the city declaring that there is need for  
4 the county authority to exercise its powers within  
5 that city. No authority shall operate in any area in  
6 which an authority already established is operating  
7 without the consent by resolution of the authority  
8 already operating therein~~-, or~~

9 c. in the case of an authority of a city or of a county,  
10 and only for a period of time beginning on the  
11 effective date of this act and ending on December 31,  
12 2026, anywhere within the geographical boundaries of  
13 this state;

14 ~~(g)~~ 7. "Federal government" includes the United States of  
15 America, the Public Housing Administration, or any other agency or  
16 instrumentality, corporate or otherwise, of the United States of  
17 America~~;~~;

18 ~~(h)~~ 8. "Slum" means any area where dwellings predominate which  
19 by reason of dilapidation, overcrowding, faulty arrangement or  
20 design, lack of ventilation, light, or sanitary facilities, or any  
21 combination of these factors, are detrimental to safety, health and  
22 morals~~;~~;

23 ~~(i)~~  
24

1        9. "Housing project" or "project" means any work or undertaking  
2 on contiguous or noncontiguous sites:

3        ~~(1)~~

4            a.    to demolish, clear, or remove buildings from any slum  
5 area~~+~~,

6        ~~(2)~~

7            b.    to provide or assist in providing (by any suitable  
8 method, including but not limited to: rental; sale of  
9 individual units in single or multifamily structures  
10 under conventional, condominium, or cooperative sales  
11 contract; lease-purchase agreement; loans; or  
12 subsidizing of rentals or charges) decent, safe and  
13 sanitary urban or rural dwellings, apartments, or  
14 other living accommodations for persons of low  
15 income~~+~~, or

16        ~~(3)~~

17            c.    to accomplish a combination of the foregoing. Such  
18 work or undertaking may include buildings, land,  
19 equipment, facilities, and other real or personal  
20 property for necessary, convenient or desirable  
21 appurtenances; streets, sewers, water service,  
22 utilities, parks, site preparation, and landscaping;  
23 and facilities for administrative, community, health,  
24 recreational, welfare, or other purposes. The term

1 "housing project" or "project" also may be applied to  
2 the planning of the buildings and improvements, the  
3 acquisition of property or any interest therein, the  
4 demolition of existing structures, the construction,  
5 reconstruction, rehabilitation, alteration or repair  
6 of the improvements and all other work in connection  
7 therewith; and the term shall include all other real  
8 and personal property and all tangible or intangible  
9 assets held or used in connection with the housing  
10 project-;

11 ~~(j)~~ 10. "Persons of low income" shall mean persons or families  
12 who lack the amount of income which is necessary (as determined by  
13 the authority undertaking the housing project) to enable them,  
14 without financial assistance, to live in decent, safe and sanitary  
15 dwellings, without overcrowding, however, the local housing  
16 authority shall not exceed the guidelines in establishing incomes  
17 set forth by the Department of Housing and Urban Development-;

18 ~~(k)~~ 11. "Bonds" means any bonds, notes, interim certificates,  
19 debentures, or other obligations issued by an authority pursuant to  
20 this act-;

21 ~~(l)~~ 12. "Real property" includes all lands, including  
22 improvements and fixtures thereon, and property of any nature  
23 appurtenant thereto, or used in connection therewith, and every  
24

1 estate, interest and right, legal or equitable, therein including  
2 terms for years~~;~~;

3 ~~(m)~~ 13. "Obligee of an authority" or "obligee" includes any  
4 bondholder, agent or trustee for any bondholder, or lessor demising  
5 to the authority property used in connection with a project, or any  
6 assignee or assignees of such lessor's interest or any part thereof,  
7 and the federal government when it is a party to any contract with  
8 the authority~~;~~;

9 ~~(n)~~ 14. "Persons engaged in national defense activities" means  
10 persons in the Armed Forces of the United States; employees of the  
11 Department of Defense; and workers engaged or to be engaged in  
12 activities connected with national defense. The term also includes  
13 the families of the persons, employees, and workers who reside with  
14 them~~;~~;

15 ~~(o)~~ 15. "Major disaster" means any flood, drought, fire,  
16 hurricane, tornado, earthquake, storm, or other catastrophe which,  
17 in the determination of the governing body, is of sufficient  
18 severity and magnitude to warrant the use of available resources of  
19 the federal, state, and local governments to alleviate the damage,  
20 hardship, or suffering caused thereby~~;~~; and

21 ~~(p)~~ 16. "State public body" means any city, county, municipal  
22 corporation, commission, district, authority, agency, subdivision,  
23 or public body of the state.

24 SECTION 2. This act shall become effective July 1, 2023.

1       SECTION 3. It being immediately necessary for the preservation  
2 of the public peace, health or safety, an emergency is hereby  
3 declared to exist, by reason whereof this act shall take effect and  
4 be in full force from and after its passage and approval.

5  
6 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated  
7 04/05/2023 - DO PASS.  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24