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February 9, 2023

By: Hall

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

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

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

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

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

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

1 ~~(d)~~ 4. "Mayor" means the mayor of the city or the officer
2 thereof charged with the duties customarily imposed on the mayor or
3 executive head of a city~~;~~i

4 ~~(e)~~ 5. "Clerk" means the city clerk or the county clerk, as the
5 case may be~~;~~i

6 ~~(f)~~

7 6. "Area of operation" means:

8 ~~(1)~~

9 a. in the case of an authority of a city, the city and
10 the area within one (1) mile of the territorial
11 boundaries thereof, except that the area of operation
12 of an authority of any city shall not include any area
13 which lies within the territorial boundaries of some
14 other city~~;~~i

15 ~~(2)~~

16 b. in the case of an authority of a county, all of the
17 county for which it is created: Provided, that a
18 county authority shall not undertake any project
19 within the boundaries of any city unless a resolution
20 shall have been adopted by the governing body of the
21 city and by any authority which shall have been
22 theretofore established and authorized to exercise its
23 powers in the city declaring that there is need for
24 the county authority to exercise its powers within

1 that city. No authority shall operate in any area in
2 which an authority already established is operating
3 without the consent by resolution of the authority
4 already operating therein~~-, or~~

5 c. in the case of an authority of a city or of a county,
6 and only for a period of time beginning on the
7 effective date of this act and ending on December 31,
8 2026, anywhere within the geographical boundaries of
9 this state;

10 ~~(g)~~ 7. "Federal government" includes the United States of
11 America, the Public Housing Administration, or any other agency or
12 instrumentality, corporate or otherwise, of the United States of
13 America~~;~~;

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

19 ~~(i)~~

20 9. "Housing project" or "project" means any work or undertaking
21 on contiguous or noncontiguous sites:

22 ~~(1)~~

23 a. to demolish, clear, or remove buildings from any slum
24 area~~;~~;

~~(2)~~

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

~~(3)~~

c. to accomplish a combination of the foregoing. Such work or undertaking may include buildings, land, equipment, facilities, and other real or personal property for necessary, convenient or desirable appurtenances; streets, sewers, water service, utilities, parks, site preparation, and landscaping; and facilities for administrative, community, health, recreational, welfare, or other purposes. The term "housing project" or "project" also may be applied to the planning of the buildings and improvements, the acquisition of property or any interest therein, the demolition of existing structures, the construction, reconstruction, rehabilitation, alteration or repair

1 of the improvements and all other work in connection
2 therewith; and the term shall include all other real
3 and personal property and all tangible or intangible
4 assets held or used in connection with the housing
5 project.~~i~~

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

13 ~~(k)~~ 11. "Bonds" means any bonds, notes, interim certificates,
14 debentures, or other obligations issued by an authority pursuant to
15 this act.~~i~~

16 ~~(l)~~ 12. "Real property" includes all lands, including
17 improvements and fixtures thereon, and property of any nature
18 appurtenant thereto, or used in connection therewith, and every
19 estate, interest and right, legal or equitable, therein including
20 terms for years.~~i~~

21 ~~(m)~~ 13. "Obligee of an authority" or "obligee" includes any
22 bondholder, agent or trustee for any bondholder, or lessor demising
23 to the authority property used in connection with a project, or any
24 assignee or assignees of such lessor's interest or any part thereof,

1 and the federal government when it is a party to any contract with
2 the authority-;

3 ~~(n)~~ 14. "Persons engaged in national defense activities" means
4 persons in the Armed Forces of the United States; employees of the
5 Department of Defense; and workers engaged or to be engaged in
6 activities connected with national defense. The term also includes
7 the families of the persons, employees, and workers who reside with
8 them-;

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

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

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

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

23 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT
24 February 9, 2023 - DO PASS