

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

HOUSE BILL 2724

By: Menz

AS INTRODUCED

An Act relating to public safety; amending 63 O.S. 2021, Section 1054, which relates to the Oklahoma Housing Authority Act; defining term; providing that landlords or owners of property shall receive stipend if certain conditions are met; providing for codification; and providing an effective date.

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) "Authority" means any public body corporate and politic created by this act.

(b) "City" means any incorporated city or town in the state.
"County" means any county in the state.

(c) "Governing body" means, in the case of a city, the council or other governing body of the city in which is vested legislative

1 authority customarily imposed on the city council, and, in the case
2 of a county, the board of county commissioners.

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

6 (e) "Clerk" means the city clerk or the county clerk, as the
7 case may be.

8 (f) "Area of operation" means:

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

14 (2) in the case of an authority of a county, all of the county
15 for which it is created: Provided, that a county authority shall not
16 undertake any project within the boundaries of any city unless a
17 resolution shall have been adopted by the governing body of the city
18 and by any authority which shall have been theretofore established
19 and authorized to exercise its powers in the city declaring that
20 there is need for the county authority to exercise its powers within
21 that city. No authority shall operate in any area in which an
22 authority already established is operating without the consent by
23 resolution of the authority already operating therein.

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1 (g) "Federal government" includes the United States of America,
2 the Public Housing Administration, or any other agency or
3 instrumentality, corporate or otherwise, of the United States of
4 America.

5 (h) "Slum" means any area where dwellings predominate which by
6 reason of dilapidation, overcrowding, faulty arrangement or design,
7 lack of ventilation, light, or sanitary facilities, or any
8 combination of these factors, are detrimental to safety, health and
9 morals.

10 (i) "Housing project" or "project" means any work or undertaking
11 on contiguous or noncontiguous sites:

12 (1) to demolish, clear, or remove buildings from any slum
13 area;

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

21 (3) to accomplish a combination of the foregoing. Such work or
22 undertaking may include buildings, land, equipment, facilities, and
23 other real or personal property for necessary, convenient or
24 desirable appurtenances; streets, sewers, water service, utilities,

1 parks, site preparation, and landscaping; and facilities for
2 administrative, community, health, recreational, welfare, or other
3 purposes. The term "housing project" or "project" also may be
4 applied to the planning of the buildings and improvements, the
5 acquisition of property or any interest therein, the demolition of
6 existing structures, the construction, reconstruction,
7 rehabilitation, alteration or repair of the improvements and all
8 other work in connection therewith; and the term shall include all
9 other real and personal property and all tangible or intangible
10 assets held or used in connection with the housing project.

11 (j) "Persons of low income" shall mean persons or families who
12 lack the amount of income which is necessary (as determined by the
13 authority undertaking the housing project) to enable them, without
14 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) "Bonds" means any bonds, notes, interim certificates,
19 debentures, or other obligations issued by an authority pursuant to
20 this act.

21 (l) "Real property" includes all lands, including improvements
22 and fixtures thereon, and property of any nature appurtenant
23 thereto, or used in connection therewith, and every estate, interest
24 and right, legal or equitable, therein including terms for years.

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

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

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

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

22 (q) "Housing Choice Voucher Program" means the tenant-based
23 assistance program under section 8(o) of the United States Housing
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1 Act of 1937 that is locally administered by the Oklahoma Public
2 Housing Authority.

3 SECTION 2. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 1076.1 of Title 63, unless there
5 is created a duplication in numbering, reads as follows:

6 Landlords or owners of property who maintain decent, safe, and
7 sanitary dwellings for persons of low income shall receive a one-
8 time Two Hundred Dollar (\$200.00) remittance for each tenant who has
9 leased with the landlord for a period of three (3) years and who
10 participates in the Housing Choice Voucher Program.

11 SECTION 3. This act shall become effective November 1, 2023.

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