

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

HOUSE BILL 2861

By: Wallace

AS INTRODUCED

An Act relating to the Oklahoma Housing Authority Act; amending 63 O.S. 2021, Section 1054, which relates to Act definitions; broadening definition; providing criteria; 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 authority customarily imposed on the city council, and, in the case of a county, the board of county commissioners.

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

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

6 (f) "Area of operation" means:

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

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

22 (3) in the case of an active duly certified city housing
23 authority, exclusively for projects utilizing American Rescue Plan
24 Act (ARPA) funds, State and Local Recovery Fund (SLRF) funds, or

1 local program federal funds, all of the county, or counties if
2 multiple, in which the authority resides, until such projects are
3 completed, provided such city housing authority has consulted with
4 the city, such county or counties, and all other active and duly
5 certified city and county housing authorities, if any, where such
6 project or projects are located.

7 (g) "Federal government" includes the United States of America,
8 the Public Housing Administration, or any other agency or
9 instrumentality, corporate or otherwise, of the United States of
10 America.

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

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

18 (1) to demolish, clear, or remove buildings from any slum
19 area;

20 (2) to provide or assist in providing (by any suitable method,
21 including but not limited to: rental; sale of individual units in
22 single or multifamily structures under conventional, condominium, or
23 cooperative sales contract; lease-purchase agreement; loans; or
24 subsidizing of rentals or charges) decent, safe and sanitary urban

1 or rural dwellings, apartments, or other living accommodations for
2 persons of low income; or

3 (3) to accomplish a combination of the foregoing. Such work or
4 undertaking may include buildings, land, equipment, facilities, and
5 other real or personal property for necessary, convenient or
6 desirable appurtenances; streets, sewers, water service, utilities,
7 parks, site preparation, and landscaping; and facilities for
8 administrative, community, health, recreational, welfare, or other
9 purposes. The term "housing project" or "project" also may be
10 applied to the planning of the buildings and improvements, the
11 acquisition of property or any interest therein, the demolition of
12 existing structures, the construction, reconstruction,
13 rehabilitation, alteration or repair of the improvements and all
14 other work in connection therewith; and the term shall include all
15 other real and personal property and all tangible or intangible
16 assets held or used in connection with the housing project.

17 (j) "Persons of low income" shall mean persons or families who
18 lack the amount of income which is necessary (as determined by the
19 authority undertaking the housing project) to enable them, without
20 financial assistance, to live in decent, safe and sanitary
21 dwellings, without overcrowding, however, the local housing
22 authority shall not exceed the guidelines in establishing incomes
23 set forth by the Department of Housing and Urban Development.

1 (k) "Bonds" means any bonds, notes, interim certificates,
2 debentures, or other obligations issued by an authority pursuant to
3 this act.

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

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

14 (n) "Persons engaged in national defense activities" means
15 persons in the Armed Forces of the United States; employees of the
16 Department of Defense; and workers engaged or to be engaged in
17 activities connected with national defense. The term also includes
18 the families of the persons, employees, and workers who reside with
19 them.

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

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

6 SECTION 2. This act shall become effective November 1, 2023.

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