

HOUSING AUTHORITY WAITING LISTS

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Gage Froerer

Senate Sponsor: _____

LONG TITLE

General Description:

This bill provides for the centralization of housing choice voucher waiting lists when there are two or more housing authorities in a first or second class county.

Highlighted Provisions:

This bill:

- ▶ provides that if there are two or more housing authorities established in a county of the first or second class, then those authorities shall centralize their housing choice voucher waiting lists; and
- ▶ makes certain technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

9-4-609, as last amended by Laws of Utah 2003, Chapter 95

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **9-4-609** is amended to read:

9-4-609. Powers of housing authority.



28 (1) Each authority [~~shall have~~] has perpetual succession and all the powers necessary
29 [~~or convenient~~] to carry out and effectuate the purposes and provisions of this part.

30 (2) [~~Any~~] An authority may:

31 (a) sue and be sued;

32 (b) have a seal and alter it;

33 (c) make and execute contracts and other instruments necessary [~~or convenient~~] to the
34 exercise of its powers;

35 (d) make, amend, and repeal bylaws and rules;

36 (e) within its area of operation, prepare, carry out, and operate projects and provide for
37 the acquisition, construction, reconstruction, rehabilitation, improvement, extension, alteration
38 or repair of any project;

39 (f) undertake and carry out studies and analyses of housing needs within its area of
40 operation and ways of meeting [~~these~~] those needs, including data with respect to population
41 and family groups and its distribution according to income groups, the amount and quality of
42 available housing, including accessible housing, and its distribution according to rentals and
43 sales prices, employment, wages and other factors affecting the local housing needs and
44 meeting these needs;

45 (g) (i) make the results of studies and analyses available to the public and the building,
46 housing, and supply industries; and

47 (ii) engage in research and disseminate information on housing programs;

48 (h) utilize, contract with, act through, assist, and cooperate or deal with any person,
49 agency, institution, or organization, public or private, for the provision of services, privileges,
50 works, or facilities, or in connection with its projects;

51 (i) notwithstanding anything to the contrary contained in this part or in any other
52 provision of law[;];

53 (i) agree to any conditions attached to federal financial assistance relating to the
54 determination of prevailing salaries or wages or payment of not less than prevailing salaries or
55 wages or compliance with labor standards in the development or administration of projects[;];

56 (ii) include in any contract awarded or entered into in connection with a project
57 stipulations requiring that the contractor and all subcontractors comply with requirements as to
58 minimum salaries or wages and maximum hours of labor[;]; and

- 59 (iii) comply with any conditions attached to the financial aid of the project;
- 60 (j) lease, rent, sell, or lease with the option to purchase any dwellings, lands, buildings,
- 61 structures, or facilities embraced in [~~any~~] a project;
- 62 (k) subject to the limitations contained in this part with respect to the rental or charges
- 63 for dwellings in housing projects, establish and revise the rents or charges [~~therefor~~] for the
- 64 dwellings;
- 65 (l) own, hold, and improve real or personal property;
- 66 (m) purchase, lease, obtain options upon, acquire by gift, grant, bequest, devise, or
- 67 otherwise any real or personal property or any interest in it;
- 68 (n) sell, lease, exchange, transfer, assign, pledge, or dispose of any [~~real~~] or personal
- 69 property or any interest in it;
- 70 (o) make loans for the provision of housing for occupancy by persons of medium and
- 71 low income;
- 72 (p) make loans or grants for the development and construction of accessible housing;
- 73 (q) insure or provide for the insurance, in stock or mutual companies, of [~~any~~] real or
- 74 personal property or operations of the authority against any risks or hazards;
- 75 (r) procure or agree to the procurement of government insurance or guarantees of the
- 76 payment of any bonds, in whole or in part, issued by the authority, including the power to pay
- 77 premiums on [~~any~~] the insurance;
- 78 (s) invest [~~any funds~~] money held in reserves, sinking funds, or any funds not required
- 79 for immediate disbursement in property or securities in which savings banks may legally invest
- 80 [~~funds~~] money subject to their control;
- 81 (t) redeem its bonds at the redemption price established or purchase its bonds at less
- 82 than redemption price, with all bonds [~~so~~] that are redeemed or purchased to be canceled;
- 83 (u) within its area of operation, determine where blighted areas exist or where there is
- 84 unsafe, insanitary, or overcrowded housing;
- 85 (v) make studies and recommendations relating to the problem of clearing, replanning,
- 86 and reconstructing blighted areas, and the problem of eliminating unsafe, insanitary, or
- 87 overcrowded housing and providing dwelling accommodations and maintaining a wholesome
- 88 living environment for persons of medium and low income, and cooperate with any public
- 89 body or the private sector in action taken in connection with those problems;

90 (w) acting through one or more commissioners or other persons designated by the
91 authority, conduct examinations and investigations and hear testimony and take proof under
92 oath at public or private hearings on any matter material for its information;

93 (x) administer oaths, issue subpoenas requiring the attendance of witnesses or the
94 production of books and papers, and issue commissions for the examination of witnesses
95 outside the state who are unable to appear before the authority or are excused from attendance;

96 (y) make available to appropriate agencies, including those charged with the duty of
97 abating or requiring the correction of nuisances or like conditions or of demolishing unsafe or
98 insanitary structures within its area of operation, its findings and recommendations with regard
99 to any building or property where conditions exist that are dangerous to the public health,
100 morals, safety, or welfare; and

101 (z) exercise all or any part or combination of the powers granted under this part.

102 (3) (a) If there are two or more housing authorities established within a county of the
103 first or second class, then those housing authorities shall centralize their housing choice
104 voucher waiting lists.

105 (b) As used in Subsection (3)(a), "housing choice voucher waiting lists" means a list of
106 eligible families and individuals compiled by a housing authority in administering the federal
107 government's housing assistance program, which enables low-income families, the elderly, and
108 the disabled to secure decent, safe, and sanitary housing in the private market.

109 [~~3~~] (4) No provision of law with respect to the acquisition, operation, or disposition
110 of property by other public bodies is applicable to an authority unless the Legislature
111 specifically states that it is.

Legislative Review Note
as of 1-21-11 3:19 PM

Office of Legislative Research and General Counsel

FISCAL NOTE

H.B. 245

SHORT TITLE: **Housing Authority Waiting Lists**

SPONSOR: **Froerer, G.**

2011 GENERAL SESSION, STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill likely will not materially impact the state budget.

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for local governments.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.