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1	LOCAL HOUSING AUTHORITY AMENDMENTS
2	2011 GENERAL SESSION
3	STATE OF UTAH
4	Chief Sponsor: Benjamin M. McAdams
5	House Sponsor: Patrice M. Arent
6	-
7	LONG TITLE
8	General Description:
9	This bill modifies housing authority provisions related to housing authority
10	commissioners, minutes of their meetings, and annual reports.
11	Highlighted Provisions:
12	This bill:
13	 changes the term of office for a commissioner from five years to four years;
14	 requires a copy of a housing authority's annual report to be given to the governing
15	body of the city or county which appointed the commissioners;
16	 requires each authority to post electronically for public review its annual approved
17	budget and minutes of all open meetings held by its board of commissioners; and
18	 makes certain technical changes.
19	Money Appropriated in this Bill:
20	None
21	Other Special Clauses:
22	None
23	Utah Code Sections Affected:
24	AMENDS:
25	9-4-606, as last amended by Laws of Utah 1999, Chapter 243
26	9-4-631, as renumbered and amended by Laws of Utah 1992, Chapter 241
27	
28	Be it enacted by the Legislature of the state of Utah:

S.B. 197

29 Section 1. Section **9-4-606** is amended to read:

S.B. 197

30	9-4-606. Commissioners Appointment Terms Quorum Meetings
31	Employment of other officers and employees authorized.
32	(1) [When] If a housing authority is authorized to transact business and exercise
33	powers under this part, not less than five nor more than seven persons shall be appointed as
34	commissioners of the authority:
35	(a) in the case of a city, by the mayor, with the advice and consent of the governing
36	body; or
37	(b) in the case of a county, by the governing body.
38	(2) (a) The commissioners first appointed [pursuant to] under this part shall be
39	designated to serve for terms of one, two, three, four, and five years, respectively, from the date
40	of their appointment.
41	(b) After the first commissioners are appointed under Subsection (2)(a), commissioners
42	[shall be] are appointed for a term of office of [five] four years.
43	(c) Notwithstanding Subsections (2)(a) and (b), all vacancies [shall be] are filled for
44	the unexpired term.
45	(3) A commissioner [shall qualify] qualifies by taking the official oath of office
46	[prescribed by general statute].
47	(4) A commissioner may not receive compensation except necessary expenses,
48	including traveling expenses, incurred in the discharge of the commissioner's duties.
49	(5) A commissioner [shall hold] holds office until the commissioner's successor [has
50	been] is appointed and [has] qualified.
51	(6) A certificate of appointment or reappointment of $[any] \underline{a}$ commissioner shall be:
52	(a) filed with the authority; and
53	(b) conclusive evidence of the [due and proper] appointment of the commissioner.
54	(7) The powers of each authority [shall be] are vested in the commissioners.
55	(8)(a) A majority of the commissioners of an authority constitutes a quorum for the
56	purpose of conducting its business and exercising its powers and for all other purposes
57	notwithstanding the existence of any vacancies.

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58	(b) Action may be taken by the authority upon a vote of a majority of the
59	commissioners present, unless the bylaws of the authority require a larger number.
60	(9) Meetings of the commissioners of an authority may be held:
61	(a) anywhere within the area of operation of the authority; or
62	(b) within any area not described in Subsection (9)(a) in which the authority is
63	authorized to undertake a project.
64	(10) The commissioners of an authority shall elect a chair and vice chair from the
65	commissioners.
66	(11) An authority may employ an executive director, legal and technical experts, and
67	other officers, agents, and employees, permanent and temporary, [as it may require,] and shall
68	determine their qualifications, duties, and compensation.
69	(12) An authority may delegate to one or more of its agents or employees any powers
70	or duties the authority considers proper.
71	Section 2. Section 9-4-631 is amended to read:
72	9-4-631. Annual report Budget Minutes.
73	(1) At least once a year, each authority shall file with the clerk, with a copy given to the
74	governing body, a report of its activities for the preceding year and its approved annual budget.
75	and make recommendations with reference to additional legislation or other action considered
76	necessary to carry out the purposes of this part.
77	(2) Each authority shall post electronically for public review its:
78	(a) annual approved budget; and

79 (b) minutes of all open meetings held by its board of commissioners.