

SECOND REGULAR SESSION

# SENATE BILL NO. 950

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR HOLSMAN.

Read 1st time February 26, 2014, and ordered printed.

TERRY L. SPIELER, Secretary.

6246S.011

## AN ACT

To repeal section 99.080, RSMo, and to enact in lieu thereof one new section relating to powers granted to municipal housing authorities.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 99.080, RSMo, is repealed and one new section enacted  
2 in lieu thereof, to be known as section 99.080, to read as follows:

99.080. 1. An authority shall constitute a municipal corporation,  
2 exercising public and essential governmental functions, and having all the powers  
3 necessary or convenient to carry out and effectuate the purposes and provisions  
4 of sections 99.010 to 99.230, including the following powers in addition to others  
5 herein granted:

6 (1) To sue and be sued; to have a seal and to alter the same at pleasure;  
7 to have perpetual succession; to make and execute contracts and other  
8 instruments necessary or convenient to the exercise of the powers of the  
9 authority; and to make and from time to time amend and repeal bylaws, rules and  
10 regulations, not inconsistent with sections 99.010 to 99.230, to carry into effect  
11 the powers and purposes of the authority;

12 (2) Within its area of operation: To prepare, carry out, acquire, lease and  
13 operate housing projects; to provide for the construction, reconstruction,  
14 improvement, alteration or repair of any housing project or any part thereof;  
15 except that, when the authority shall lie within an unincorporated area of a first  
16 class county having a charter form of government and that unincorporated area  
17 is bordered by a city or cities of the third class which may provide services to that  
18 authority, the city or cities shall give its approval before said construction,  
19 reconstruction, improvement, alteration or repair takes place;

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

20 (3) To arrange or contract for the furnishing by any person or agency,  
21 public or private, of services, privileges, works, or facilities for, or in connection  
22 with, a housing project or the occupants thereof; and (notwithstanding anything  
23 to the contrary contained in sections 99.010 to 99.230 or any other provision of  
24 **state law**) to include in any contract let in connection with a project, stipulations  
25 requiring that the contractor and any subcontractors comply with requirements  
26 as to minimum **and prevailing** wages and maximum hours of labor, and comply  
27 **exclusively** with any conditions, **requirements, policies, or contractual**  
28 **provisions** which the federal government may have attached **or adopted with**  
29 **regard** to its financial aid of [the] **any housing** project;

30 (4) To lease or rent any dwellings, houses, accommodations, lands,  
31 buildings, structures or facilities embraced in any housing project and (subject to  
32 the limitations contained in sections 99.010 to 99.230) to establish and revise the  
33 rents or charges therefor; to own, hold, and improve real or personal property; to  
34 purchase, lease, obtain options upon, acquire by gift, grant, bequest, devise, or  
35 otherwise any real or personal property or any interest therein; to acquire by the  
36 exercise of the power of eminent domain any real property in fee simple or other  
37 estate; to sell, lease, exchange, transfer, assign, pledge, or dispose of any real or  
38 personal property or any interest therein; to insure or provide for the insurance  
39 of any real or personal property or operations of the authority against any risks  
40 or hazards; to procure or agree to the procurement of insurance or guarantees  
41 from the federal government of the payment of any bonds or parts thereof issued  
42 by an authority, including the power to pay premiums on any such insurance; to  
43 allocate federal or state tax credits or other economic benefits or inducements  
44 allocated to an authority;

45 (5) To invest any funds held in reserves or sinking funds, or any funds not  
46 required for immediate disbursement, in property or securities in which savings  
47 banks may legally invest funds subject to their control; to purchase its bonds at  
48 a price not more than the principal amount thereof and accrued interest, all  
49 bonds so purchased to be cancelled;

50 (6) Within its area of operation: To investigate into living, dwelling and  
51 housing conditions and into the means and methods of improving such conditions;  
52 to determine where blighted areas exist or where there is a shortage of decent,  
53 safe and sanitary dwelling accommodations for persons of very low, lower and  
54 moderate income; to make studies and recommendations relating to the problem  
55 of clearing, replanning and reconstructing of blighted areas, and the problem of

56 providing dwelling accommodations for persons of very low, lower and moderate  
57 income, and to cooperate with the city, the county, the state or any political  
58 subdivision thereof in action taken in connection with such problems; and to  
59 engage in research, studies and experimentation on the subject of housing;

60 (7) Acting through one or more commissioners or other person or persons  
61 designated by the authority: To conduct examinations and investigations and to  
62 hear testimony and take proof under oath at public or private hearings on any  
63 matter material for its information; to administer oaths, issue subpoenas  
64 requiring the attendance of witnesses or the production of books and papers and  
65 to issue commissions for the examination of witnesses who are outside of the state  
66 or unable to attend before the authority, or excused from attendance; to make  
67 available to appropriate agencies (including those charged with the duty of  
68 abating or requiring the correction of nuisances or like conditions, or of  
69 demolishing unsafe or unsanitary structures within its area of operation) its  
70 findings and recommendations with regard to any building or property where  
71 conditions exist which are dangerous to the public health, morals, safety or  
72 welfare;

73 (8) To contract with private owners to manage, lease and operate any  
74 rental, cooperative or condominium housing project within its area of operation  
75 and to act as management agent for any such project for a management fee;

76 (a) The persons and families who occupy the housing project shall be very  
77 low, lower or moderate income persons as defined in sections 99.010 to 99.230;

78 (b) Any profit derived by housing authorities from such management fees  
79 should be applied to the development, improvement or maintenance of housing  
80 projects in the following manner: no less than fifty percent of said profits shall  
81 be applied toward improving, developing or maintaining housing units that are  
82 occupied by or will be occupied by persons of very low income; the remaining  
83 profits shall be applied toward improving, developing or maintaining housing  
84 units that are occupied by, or will be occupied by persons of low income;

85 (9) To loan the proceeds of its bonds and notes to provide for the purchase,  
86 construction, extension and improvement of any housing project;

87 (10) To exercise all powers or parts or combination of powers necessary,  
88 convenient or appropriate to undertake and carry out housing projects and all the  
89 powers herein granted.

90 2. No provision of law with respect to the acquisition, operation or  
91 disposition of property by other public bodies shall be applicable to an authority

92 unless the law shall specifically so state.

93           3. An authority may exercise any and all of the powers conferred upon it  
94 by this section, either generally or with respect to any specific activity or  
95 activities, through or by any agent which it may designate including any  
96 corporation or corporations formed under the laws of this state and for such  
97 purposes, an authority may cause one or more corporations to be formed under  
98 the laws of this state, provided, however, that no employee of any housing  
99 authority or publicly elected official shall receive, directly or indirectly, any  
100 compensation therefrom other than their salary as such an employee or publicly  
101 elected official and that all profits from such corporations and agents shall be  
102 distributed in the following manner: not less than seventy percent of said profits  
103 shall be applied, in such manner as the housing authority shall determine,  
104 toward improving, developing or maintaining housing units that are occupied by,  
105 or will be occupied by persons of very low or lower income; not more than thirty  
106 percent of said profits shall be applied in such manner as the housing authority  
107 shall determine; and if such corporation or agent is involved in managing,  
108 developing or purchasing a housing project, at least twenty percent of the units  
109 of said project shall be reserved for very low or low income. The distribution of  
110 project units reserved for persons of very low and lower income by size shall be  
111 proportional to the distribution of units by size for the entire housing project.

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