

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1484 Session of  
2007

INTRODUCED BY WILLIAMS, BELFANTI, BISHOP, BLACKWELL, COHEN,  
DePASQUALE, D. EVANS, FABRIZIO, FREEMAN, HENNESSEY, JAMES,  
JOSEPHS, W. KELLER, KIRKLAND, MANDERINO, MARKOSEK, MYERS,  
M. O'BRIEN, OLIVER, PARKER, ROEBUCK, SABATINA AND WATERS,  
JUNE 5, 2007

REFERRED TO COMMITTEE ON URBAN AFFAIRS, JUNE 5, 2007

AN ACT

1 Amending the act of May 28, 1937 (P.L.955, No.265), entitled, as  
2 amended, "An act to promote public health, safety, morals,  
3 and welfare by declaring the necessity of creating public  
4 bodies, corporate and politic, to be known as housing  
5 authorities to engage in slum clearance, and to undertake  
6 projects, to provide dwelling accommodations for persons of  
7 low income; providing for the organization of such housing  
8 authorities; defining their powers and duties; providing for  
9 the exercise of such powers, including the acquisition of  
10 property by purchase, gift or eminent domain, the renting and  
11 selling of property, and including borrowing money, issuing  
12 bonds, and other obligations, and giving security therefor;  
13 prescribing the remedies of obligees of housing authorities;  
14 authorizing housing authorities to enter into agreements,  
15 including agreements with the United States, the  
16 Commonwealth, and political subdivisions and municipalities  
17 thereof; defining the application of zoning, sanitary, and  
18 building laws and regulations to projects built or maintained  
19 by such housing authorities; exempting the property and  
20 securities of such housing authorities from taxation; and  
21 imposing duties and conferring powers upon the State Planning  
22 Board, and certain other State officers and departments,"  
23 adding definitions; providing for operating cost assistance  
24 grants; establishing the Operating Cost Assistance Grant  
25 Fund; making editorial changes; and making an appropriation.

26 The General Assembly of the Commonwealth of Pennsylvania

27 hereby enacts as follows:

28 Section 1. Section 3 of the act of May 28, 1937 (P.L.955,

1 No.265), known as the Housing Authorities Law, is amended by  
2 adding clauses to read:

3 Section 3. Definitions.--The following words, terms, and  
4 phrases, where used or referred to in this act, shall have the  
5 meanings ascribed to them in this section, except in those  
6 instances where the context clearly indicates a different  
7 meaning:

8 \* \* \*

9 (e.1) "Department." The Department of Community and  
10 Economic Development of the Commonwealth.

11 \* \* \*

12 (o.1) "Public Housing." A low-income housing project owned,  
13 leased, either in the capacity of lessor or lessee, held or  
14 financed by an Authority.

15 \* \* \*

16 Section 2. Sections 4.1 and 4.2 of the act, added November  
17 16, 1967 (P.L.495, No.242), are amended to read:

18 Section 4.1. Dissolution of City Authorities.--If a city  
19 authority has never issued any bonds, or incurred any other  
20 debts or contractual obligations, or has paid and has been  
21 released from and discharged of all debts and bonded,  
22 contractual and other obligations, the governing body of the  
23 city may, after three years from the date of the certificate  
24 described in subsection (e) of section 4, or earlier if a proper  
25 resolution of the authority requests the action hereinafter  
26 described, find and declare by proper resolution that its  
27 functions can be more properly carried out by a county authority  
28 and that there is no longer any need for the authority created  
29 for such city to function. In such case the governing body shall  
30 issue a certificate reciting the adoption of such resolution,

1 and shall cause such certificate to be filed with the Department  
2 of State and two duplicates thereof with the Department of  
3 Community [Affairs] and Economic Development. Upon such filing  
4 the city authority shall cease to function, and title to any  
5 assets held by the authority at that time shall pass to the  
6 city. A copy of the certificate described in this section shall  
7 be admissible in any suit, action or proceeding and shall be  
8 conclusive proof that the authority has ceased to be in  
9 existence.

10 Section 4.2. Dissolution of County Authorities.--If a county  
11 authority has never issued any bonds, or incurred any other  
12 debts or contractual obligations, or has paid and has been  
13 released from and discharged of all debts and bonded,  
14 contractual and other obligations, the governing body of the  
15 county may, after three years from the date of the certificate  
16 described in subsection (e) of section 4, or earlier if a proper  
17 resolution of the authority requests the action hereinafter  
18 described, find and declare by proper resolution that there is  
19 no longer any need for the authority created for such county to  
20 function. In such case the governing body shall issue a  
21 certificate reciting the adoption of such resolution, and shall  
22 cause such certificate to be filed with the Department of State  
23 and two duplicates thereof with the Department of Community  
24 [Affairs] and Economic Development. Upon such filing the county  
25 authority shall cease to function, and title to any assets held  
26 by the authority at that time shall pass to the county. A copy  
27 of the certificate described in this section shall be admissible  
28 in any suit, action or proceeding and shall be conclusive proof  
29 that the authority has ceased to be in existence.

30 Section 3. Section 22 of the act, amended October 19, 1967

1 (P.L.461, No.218), is amended to read:

2 Section 22. Aid from Federal Government.--In addition to the  
3 powers conferred upon an Authority by other provisions of this  
4 act, an Authority is empowered to borrow money or accept grants  
5 or other financial assistance from the Federal Government for,  
6 or in aid of, any housing project within its area of operation,  
7 to take over or lease or manage any housing project or  
8 undertaking constructed or owned by the Federal Government, and  
9 to these ends to comply with such conditions, and enter into  
10 such mortgages, trust indentures, leases or agreements as may be  
11 necessary, convenient or desirable. It is the purpose and intent  
12 of this act to authorize every Authority to do any and all  
13 things necessary or desirable to secure the financial aid or  
14 cooperation of the Federal Government in the undertaking,  
15 construction, maintenance or operation of any housing project by  
16 such Authority: Provided, That upon completion of an application  
17 of an Authority for financial assistance of the Federal  
18 Government in connection with a housing project, the Authority  
19 shall file with the Department of Community [Affairs] and  
20 Economic Development a report describing the project, including  
21 but not limited to the location and type of the project, the  
22 number of dwelling units in the project, the size of the  
23 individual dwelling units expressed in number of bedrooms, the  
24 number of dwelling units of the various sizes, the number of  
25 dwelling units proposed for the elderly, and the character of  
26 any commercial or community facilities included in the project.

27 Section 4. The act is amended by adding a section to read:

28 Section 23.1. Operating Cost Assistance Grants.--(a) The  
29 Operating Cost Assistance Grant Fund is hereby established as a  
30 separate fund in the State Treasury to assist Authorities to

ensure the efficient and safe operation of public housing facilities. Payments from the fund to Authorities in the form of grants shall be used to defray the cost to operate and manage public housing, including the following:

(1) Procedures and systems to maintain and ensure the efficient management and operation of public housing units, including amounts sufficient to pay for the reasonable costs of review by an independent auditor.

(2) Activities to ensure a program of routine preventative maintenance.

(3) Anticrime and antidrug activities, including the cost of providing adequate security for residents of public housing, and above baseline police service agreements.

(4) Activities related to the provision of services, including service coordinators for elderly persons or persons with disabilities.

(5) Activities to provide for management and participation in the management and policymaking of public housing by public housing residents.

(6) The costs of insurance.

(7) Energy costs associated with public housing units with an emphasis on energy conservation.

(8) Costs of repaying, together with rent contributions, debt incurred to finance the rehabilitation and development of public housing units.

(b) The department shall allocate funds for operating cost assistance grants as follows:

(1) Multiply one hundred (\$100) dollars per ACC unit month by the number of ACC units in this Commonwealth as described by the Department of Housing and Urban Development as of June 1 of

1 the prior fiscal year.

2 (2) Multiply the total from subclause (1) by twelve (12)  
3 months.

4 (c) An Authority shall submit documentation to support an  
5 allocation for an operating cost assistance grant by submitting  
6 to the department documentation of the unit months under lease  
7 in the previous fiscal year.

8 (d) Upon receipt of an application, the department shall  
9 award funding in accordance with this section to an Authority  
10 within sixty (60) days.

11 (e) The department shall submit to the Governor and to the  
12 General Assembly an annual report covering the administration  
13 and operation of this section and shall make recommendations for  
14 amendments to this section as it deems proper. Reports and  
15 recommendations shall be presented on or before December 31 of  
16 each year.

17 (f) In order to effectuate and enforce the provisions of  
18 this section, the department is authorized to promulgate  
19 necessary rules and regulations and prescribe conditions and  
20 procedures in order to assure compliance in carrying out the  
21 purposes for which grants may be made under this section.

22 (g) As used in this section, the term "ACC units" means  
23 units receiving administrative services as part of the annual  
24 contributions contract between a public housing agency and the  
25 Department of Housing and Urban Development.

26 Section 5. Section 24 of the act, amended October 19, 1967  
27 (P.L.461, No.218), is amended to read:

28 Section 24. Reports.--In addition to any other material  
29 which an Authority must file with the Department of Community  
30 [Affairs] and Economic Development according to the provisions

1 of this act, it shall file with said department--

2 (a) A copy of any rules, regulations or resolutions, and  
3 amendments thereto, adopted by it from time to time.

4 (b) At least once each year, a report of its activities for  
5 the preceding year, and such other reports as said department  
6 may require.

7 Section 6. The sum of \$83,000,000, or as much thereof as may  
8 be necessary, is hereby appropriated to the Operating Cost  
9 Assistance Grant Fund for the fiscal year July 1, 2007, to June  
10 30, 2008, to carry out the provisions of section 23.1 of the  
11 act.

12 Section 7. This act shall take effect in 60 days.