
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1174 Session of
2011

INTRODUCED BY YAW, KITCHEN, FONTANA, M. WHITE, BRUBAKER,
D. WHITE, FERLO AND BREWSTER, SEPTEMBER 29, 2011

REFERRED TO URBAN AFFAIRS AND HOUSING, SEPTEMBER 29, 2011

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 further providing for appointment of members of authority,
24 for qualifications, tenure and compensation of members of
25 authority and for organization of authority.

26 The General Assembly of the Commonwealth of Pennsylvania

27 hereby enacts as follows:

28 Section 1. Sections 5(b) and 6 of the act of May 28, 1937

29 (P.L.955, No.265), known as the Housing Authorities Law, amended

1 March 21, 1968 (P.L.69, No.25) and July 15, 1968 (P.L.337,
2 No.163), are amended to read:

3 Section 5. Appointment of Members of an Authority.--* * *

4 (b) The governing body of any city upon issuing a
5 certificate declaring the need for an Authority to operate in
6 such city or upon receiving notice of the issuance of such
7 certificate by the Governor, shall promptly notify the mayor of
8 such certification. Upon receiving such notice, the mayor, with
9 the approval of the majority of the members of council, shall
10 appoint five citizens, residents of the city, to be members of
11 the housing authority of such city--(1) that in cities of the
12 first class, the mayor shall appoint [two members, the city
13 controller shall appoint two members, and the four members, thus
14 appointed, shall select a fifth member of such Authority] nine
15 persons to be members of the housing authority of such city; (2)
16 that in cities of the second class, the mayor shall appoint two
17 additional members for a total of seven members of the housing
18 authority; (3) that in cities of the third class, the mayor,
19 with the approval of the majority of the members of council,
20 shall appoint five persons to be members of the housing
21 authority of such city, such members shall be citizens residing
22 within the city for which the Authority is created.

23 Section 6. Qualifications, Tenure and Compensation of
24 Members of an Authority.--No more than two persons holding any
25 other paid public office shall be members of the same housing
26 authority at the same time. The members who are first appointed
27 shall serve for terms of one, two, three, four, and five years,
28 respectively, from the date of their appointment, as shall be
29 specified at the time of their appointment, except that members
30 of the housing authority of a city of the first class shall

1 serve for terms concurrent with the term of the appointing
2 mayor. Thereafter the term of office shall be five years, except
3 as otherwise provided with respect to members of the housing
4 authority of a city of the first class. The two additional
5 members to be appointed in cities of the second class shall
6 serve for terms of five years. A member shall hold office until
7 his successor has been appointed. Vacancies for unexpired terms
8 shall be promptly filled by the appointing power. A member may
9 be removed for cause by the court of quarter sessions of the
10 county in which the Authority is located after having been
11 provided with a copy of the charges against him for at least ten
12 days and full hearing by the court, except that members of the
13 housing authority of a city of the first class shall serve at
14 the pleasure of the mayor of such city. A member shall receive
15 no compensation for his services, but he shall be entitled to
16 the necessary expenses, including travelling expenses incurred
17 in the discharge of his duties.

18 Section 2. Section 7 of the act is amended to read:

19 Section 7. Organization of an Authority.--The members of an
20 Authority shall select from among themselves a chairman and a
21 vice-chairman. The Authority may employ a secretary, such
22 technical experts, and such other officers, agents, and
23 employes, permanent or temporary, as it may require, and may
24 determine the qualifications of such persons. Three members of
25 an Authority shall constitute a quorum for its meetings, except
26 that a majority of the members of the Authority in a city of the
27 first class shall constitute a quorum for meetings of such an
28 Authority. Any Authority may employ its own counsel and legal
29 staff. Members of an Authority shall not be liable personally on
30 the bonds or other obligations of the Authority, and the rights

1 of creditors shall be solely against such Authority. An
2 Authority may delegate to one or more of its agents or employes
3 such of its powers as it shall deem necessary to carry out the
4 purposes of this act, subject always to the supervision and
5 control of the Authority.

6 Section 3. This act shall take effect immediately.