

SECOND REGULAR SESSION

[PERFECTED]

SENATE BILL NO. 1039

91ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR DePASCO.

Read 1st time January 28, 2002, and 1,000 copies ordered printed.

Read 2nd time January 31, 2002, and referred to the Committee on Local Government and Economic Development.

Reported from the Committee March 11, 2002, with recommendation that the bill do pass and be placed on the Consent Calendar.

Taken up March 20, 2002. Read 3rd time and placed upon its final passage; bill passed.

TERRY L. SPIELER, Secretary.

4256S.01P

AN ACT

To repeal section 99.134, RSMo, relating to municipal housing authority commissioners, and to enact in lieu thereof one new section relating to the same subject.

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

Section A. Section 99.134, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 99.134, to read as follows:

99.134. [Beginning April 1, 1991, the provisions of this section shall apply to housing authorities of any city with a population of more than three hundred fifty thousand inhabitants which is located in more than one county. The authority shall consist of seven commissioners, appointed by the mayor of the city, with the advice and consent of the city council. One commissioner shall be appointed from each city council district and the seventh commissioner shall be a tenant of any housing project owned or operated by the housing authority. The tenant commissioner shall serve for three years, but only if he remains a tenant of any housing project owned or operated by the authority. Notwithstanding the provisions of this chapter to the contrary, a new

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

authority shall be established under this section. The commissioners of the authority in office on April 1, 1991, shall be deemed members of the new authority and shall serve the remaining portion of their terms. The new members of the authority which bring the total number of members to seven shall serve for four years. Upon the completion of the term of any commissioner, except the tenant commissioner, his replacement shall be appointed for a period of four years. The mayor shall make appointments within ninety days of the vacancy occurring. If no appointment has been made within ninety days by the mayor, the vacancy shall be filled by a majority of the city council present and voting at a regular meeting.] **Commencing on January 1, 2003, and notwithstanding any conflicting provision of section 99.050, the provisions of this section shall apply to housing authorities of any home rule city with more than four hundred thousand inhabitants and located in more than one county. The provisions of this section shall apply to such housing authorities and the following provisions shall govern the composition of the housing authority and the selection of the members thereof:**

(1) There shall be seven members of the housing authority commission, six shall be appointed and one shall be elected to the tenants of the housing authority;

(2) The appointive members of the housing authority commission shall be nominated by a nominating committee and appointed by the mayor. The nominating committee shall consist of five members, consisting of two disinterested persons selected by the jurisdiction wide resident organization of which one must be a public housing resident and the other a person receiving Section 8 housing assistance, the remaining three members of the nominating committee shall be selected by the housing authority commissioners. At least one appointive member must be a resident in good standing receiving Section 8 housing assistance and participating in a self-sufficiency program or successfully completed a self-sufficiency program;

(3) The election of the tenant commissioner shall be conducted by the jurisdiction wide resident organization and overseen by an independent third party. The election shall be by written ballot and each tenant of the housing authority who has attained the age of eighteen years shall be entitled to one vote. In addition to the qualifications required for the office by the provisions of section 99.010 to 99.230, the elected member of the commission shall be a tenant in good standing;

(4) Commissioners of the housing authority required by this section to be tenants of the housing authority or tenants receiving Section 8 housing

assistance shall not be employed in any capacity by the housing authority and shall not be construed, because of such tenancy or receipt of housing assistance, to have direct or indirect interest in any housing authority project or in any property included or planned to be included in any project, or in proposed contract for materials or services within the meaning of section 99.060;

(5) Each elective commissioner shall serve a term of four years. Of the six appointive members of the commissioners first appointed pursuant to this section, two shall serve a term of one year, two commissioners shall serve a term of two years, and two commissioners shall serve a term of three years. Thereafter all commissioners shall serve a term of office of four years except that all vacancies shall be filled for the unexpired term;

(6) The commissioners shall select from among its members a chairperson and a vice chairperson;

(7) Each commissioner shall receive a stipend of two hundred dollars per month for his or her services to the housing authority in any capacity in addition to reimbursement for expenses incurred for special travel or conference expenses incurred in the discharge of his duties. The board of commissioners shall have the power to adjust the stipend amount annually to reflect changes in the Consumer Price Index or similar prudent and object pre-escalator method;

(8) A quorum shall consist of at least four commissioners; and

(9) All commissioners shall be residents of the jurisdiction of the housing authority.

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