Am. Sub. H.B. 166
As Passed by the Senate
LOCCD30

_______________________________ moved to amend as follows:

In line 62 of the title, after "3734.901," insert "3735.31, 3735.33, 3735.40, 3735.41,"

In line 267, after "3734.901," insert "3735.31, 3735.33, 3735.40, 3735.41,"

After line 41651, insert:

"Sec. 3735.31. A metropolitan housing authority created under sections 3735.27 to 3735.50 of the Revised Code constitutes a body corporate and politic. Nothing in this chapter shall limit the authority of a metropolitan housing authority, or a nonprofit corporation formed by a metropolitan housing authority to carry out its functions, to compete for and perform federal housing contracts or grants within or outside this state. To clear, plan, redevelop, and rebuild slum areas within the district in which the authority is created to provide safe and sanitary housing accommodations to families of low income within that district to make available, acquire, construct, improve, manage, lease, or own mixed-use or mixed-income developments, or a combination of such developments; or to accomplish any combination of the foregoing public purposes, the authority may do any of the following:
(A) Sue and be sued; have a seal; have corporate succession; receive grants from state, federal, or other governments, or from private sources; conduct investigations into housing and living conditions; enter any buildings or property in order to conduct its investigations; conduct examinations, subpoena, and require the attendance of witnesses and the production of books and papers; issue commissions for the examination of witnesses who are out of the state or unable to attend before the authority or excused from attendance; and in connection with these powers, any member of the authority may administer oaths, take affidavits, and issue subpoenas;

(B) Determine what areas constitute slum areas, and prepare plans for housing or other projects in those areas; purchase, lease, sell, exchange, transfer, assign, or mortgage any property, real or personal, or any interest in that property, or acquire the same by gift, bequest, or eminent domain; own, hold, clear, and improve property; provide and set aside housing projects, or dwelling units comprising portions of housing projects, designed especially for the use of families, the head of which or the spouse of which is sixty-five years of age or older; engage in, or contract for, the construction, reconstruction, alteration, or repair, or both, of any housing project or part of any housing project; participate in partnerships or joint ventures relating to the development of housing or projects with other public or private entities; include in any contract let in connection with a project, stipulations requiring that the contractor and any subcontractors comply with requirements as to minimum wages and maximum hours of labor, and comply with any conditions that the federal government has attached to its financial aid of the project; lease or operate, or both, any project, and establish or revise schedules of rents for any projects or part of any project;
arrange with the county or municipal corporations, or both, for the planning and replanning of streets, alleys, and other public places or facilities in connection with any area or project; borrow money upon its notes, debentures, or other evidences of indebtedness, and secure the same by mortgages upon property held or to be held by it, or by pledge of its revenues, or in any other manner; invest any funds held in reserves or sinking funds or not required for immediate disbursements; enter into a shared service agreement with another metropolitan housing authority; execute contracts and all other instruments necessary or convenient to the exercise of the powers granted in this section; make, amend, and repeal bylaws and rules to carry into effect its powers and purposes;

(C) Borrow money or accept grants or other financial assistance from the federal government for or in aid of any housing project within its territorial limits; take over or lease or manage any housing project or undertaking constructed or owned by the federal government; comply with any conditions and enter into any mortgages, trust indentures, leases, or agreements that are necessary, convenient, or desirable;

(D) Subject to section 3735.311 of the Revised Code, employ a police force to protect the lives and property of the residents of housing projects within the district, to preserve the peace in the housing projects, and to enforce the laws, ordinances, and regulations of this state and its political subdivisions in the housing projects and, when authorized by law, outside the limits of the housing projects.

(E) Enter into an agreement with a county, municipal corporation, or township in whose jurisdiction the metropolitan housing authority is located that permits metropolitan housing authority police officers employed under division (D) of this
section to exercise full arrest powers as provided in section 2935.03 of the Revised Code, perform any police function, exercise any police power, or render any police service within specified areas of the county, municipal corporation, or township for the purpose of preserving the peace and enforcing all laws of the state, ordinances of the municipal corporation, or regulations of the township.

Sec. 3735.33. Any two or more metropolitan housing authorities created under sections 3735.27 to 3735.50 of the Revised Code, may join or cooperate with one another in the exercise, either jointly or otherwise, of any or all of their powers relative to the purpose of financing as provided in sections 3735.31 and 3735.45 to 3735.49 of the Revised Code. The moneys received from such joint or cooperative financing may be used for planning, undertaking, owning, constructing, operating, or contracting with respect to a housing project or projects located within the area of operation of any one or more of the authorities. An authority may by resolution prescribe and authorize any other authority or authorities, joining or cooperating with it, to act on its behalf with respect to any or all powers relative to the purpose of financing, as its agent or otherwise, in the name of the authority or authorities so joining or cooperating, or in its own name.

Any two or more metropolitan housing authorities created under sections 3735.27 to 3735.50 of the Revised Code may enter into a shared service agreement.

A metropolitan housing authority may, directly or through its subsidiaries or instrumentalities, provide, consult, sell, license, transfer, or contract to provide to other metropolitan housing authorities, public housing authorities, or other
organizations formed inside or outside of this state, or to
government agencies, housing-related knowledge, technology,
software, innovations, or expertise for any of the following:

(A) The development or redevelopment of housing projects;
(B) The performance of federal housing contracts or grants;
(C) Any matter related to the efficient operation of housing
organizations;
(D) The management or operation of a metropolitan housing
authority or redevelopment authority.

Sec. 3735.40. As used in sections 3735.27, 3735.31, and
3735.40 to 3735.50 of the Revised Code:

(A) "Federal government" includes the United States, the
federal works administrator, or any other agency or
instrumentality, corporate or otherwise, of the United States.
(B) "Slum" has the meaning defined in section 1.08 of the
Revised Code.
(C) "Housing project" or "project" means any of the following
works or undertakings:

(1) Demolish, clear, or remove buildings from any slum area.
Such work or undertaking may embrace the adaptation of such area
to public purposes, including parks or other recreational or
community purposes.

(2) Provide decent, safe, and sanitary urban or rural
dwellings, apartments, or other living accommodations for persons
of low income.

(3) Provide for buildings, land, equipment, facilities, and
other real or personal property for necessary, convenient, or
desirable appurtenances, streets, sewers, water service, parks, site preparation, gardening, administrative, community, health, recreational, educational, welfare, commercial, residential, or other purposes.

(4) Accomplish a combination of the foregoing. "Housing project" also may be applied to the planning of the buildings and improvements, the acquisition of property, the demolition of existing structures, the construction, reconstruction, alteration, and repair of the improvements, and all other work in connection therewith.

(D) "Families of low income" means and "persons of low income" mean persons or families who lack the amount of income which is necessary, as determined by the metropolitan housing authority undertaking the housing project, to enable them, without financial assistance, to live in decent, safe, and sanitary dwellings, without overcrowding. The terms include persons or families as defined by federal law or regulations who are eligible for a federally derived rent subsidy.

(E) "Families" means families consisting of two or more persons, a single person who has attained the age at which an individual may elect to receive an old age benefit under Title II of the "Social Security Act" or is under disability as defined in section 223 of that act, 49 Stat. 622 (1935), 42 U.S.C.A. 401, as amended, or the remaining member of a tenant family.

(F) "Families" also means a single person discharged by the head of a hospital pursuant to section 5122.21 of the Revised Code after March 10, 1964.

(G) "Mixed-income development" means a development that includes decent, safe, and sanitary urban or rural dwellings, apartments, or other living accommodations for persons or families
of varying incomes.

(H) "Mixed-use development" means a development that is both residential and nonresidential in character.

Sec. 3735.41. Except as otherwise provided in section 3735.43 of the Revised Code, in the operation or management of housing projects a metropolitan housing authority shall observe the following with respect to rentals and tenant selection:

(A)(1) It shall not provide a federally derived rent subsidy to any tenant for any dwelling in a housing project if the persons who would occupy the dwelling have an aggregate annual net income that equals or exceeds the amount that the authority determines to be necessary to enable such persons to do both of the following:

(a) Secure safe, sanitary, and uncongested dwelling accommodations within the area of operation of the authority;

(b) Provide an adequate standard of living for themselves.

(2) As used in this division, "aggregate annual net income" means the aggregate annual income less the deductions and exemptions from that income authorized by law or regulations established by the United States department of housing and urban development.

(B) Except as provided in division (B)(2) of this section, it may rent or lease the dwelling accommodations therein only at rentals within the financial reach of persons who lack the amount of income which it determines, pursuant to division (A) of this section, to be necessary in order to obtain safe, sanitary, and uncongested dwelling accommodations within the area of operation of the authority and to provide an adequate standard of living.
(2) It may rent or lease to nonresidential tenants and persons of varying incomes within a project, mixed-use development, or mixed-income development.

(C) It may use a federally derived rent subsidy to rent or lease to a tenant a dwelling consisting of the number of rooms, but no greater number, which it considers necessary to provide safe and sanitary accommodations to the proposed occupants thereof, without overcrowding.

Sections 3735.27 to 3735.50 of the Revised Code do not limit the power of an authority to vest in a bondholder the right, in the event of a default by such authority, to take possession of a housing project or cause the appointment of a receiver thereof or acquire title thereto through foreclosure proceedings, free from all the restrictions imposed by such sections."

In line 82857, after "3734.901," insert "3735.31, 3735.33, 3735.40, 3735.41,"

The motion was ________ agreed to.

**SYNOPSIS**

**Metropolitan Housing Authority**

**R.C. 3735.31, 3735.33, 3735.40, and 3735.41**

Restores House-passed provisions that do all of the following:

-- Specify that a metropolitan housing authority (MHA) may redevelop slum areas within the district in which the authority is created.
-- Authorize an MHA to make available, acquire, construct, improve, manage, lease, or own mixed-use and mixed-income developments.

-- Permit an MHA to participate in partnerships or joint ventures relating to the development of housing or projects with other public or private entities.

-- Authorize an MHA to provide, consult, sell, license, or transfer to organizations and government agencies housing-related technology, innovations, and expertise for specified purposes.

-- Permit an MHA to rent or lease to nonresidential tenants and persons of varying incomes within a project, mixed-use development, or mixed-income development.