

2013 -- H 5981 SUBSTITUTE A

=====
LC02346/SUB A
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

—————
A N A C T

RELATING TO TOWNS AND CITIES - CITY HOUSING AUTHORITIES

Introduced By: Representatives Baldelli-Hunt, Silva, Costantino, Abney, and Phillips

Date Introduced: April 11, 2013

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 45-25-15 of the General Laws in Chapter 45-25 entitled "City
2 Housing Authorities" is hereby amended to read as follows:

3 **45-25-15. Powers of authority enumerated.** -- (a) An authority constitutes a public
4 body and a body corporate and politic, exercising public powers, and has all the powers necessary
5 or convenient to carry out and effectuate the purposes and provisions of chapters 25 -- 27 of this
6 title, including the following powers in addition to others granted in this chapter:

7 (1) To investigate into living, dwelling, and housing conditions and into the means and
8 methods of improving these conditions;

9 (2) To determine where unsafe, or unsanitary dwelling or housing conditions exist;

10 (3) To study and make recommendations concerning the plan of any city or municipality
11 located within its boundaries in relation to the problem of clearing, replanning, and reconstruction
12 of areas in which unsafe, or unsanitary dwelling or housing conditions exist, and the providing of
13 dwelling accommodations for persons of low income, and to cooperate with any city, municipal
14 or regional planning agency;

15 (4) To prepare, carry out, and operate housing projects;

16 (5) To provide for the construction, reconstruction, improvement, alteration, or repair of
17 any housing project or any part of it;

18 (6) To take over by purchase, lease, or otherwise, any housing project located within its
19 boundaries undertaken by any government, or by any city or municipality located in whole or in

1 part within its boundaries;

2 (7) To manage as agent of any city or municipality any housing project located in whole
3 or in part within its boundaries;

4 (8) To act as agent for the federal government in connection with the acquisition,
5 construction, operation, and/or management of a housing project or any part of it;

6 (9) To arrange with any city or municipality located in whole or in part within its
7 boundaries or with a government for the furnishing, planning, replanning, installing, opening or
8 closing of streets, roads, roadways, alleys, sidewalks, or other places or facilities or for the
9 acquisition by the city, municipality, or, a government of property, options, or property rights, or
10 for the furnishing of property or services in connection with a project;

11 (10) To arrange with the state, its subdivisions and agencies, and any county, city, town,
12 or municipality of the state, to the extent that it is within the scope of each of their respective
13 functions, (i) to cause the services customarily provided by each of them to be rendered for the
14 benefit of the housing authority and/or the occupants of any housing projects, (ii) to provide and
15 maintain parks and sewage, water, and other facilities adjacent to or in connection with housing
16 projects, and (iii) to change the city or municipality map, to plan, replan, zone, or rezone any part
17 of the city or municipality;

18 (11) To lease or rent any of the dwelling or other accommodations or any of the lands,
19 buildings, structures, or facilities embraced in any housing project and to establish and revise the
20 rents or charges for the project; to enter upon any building or property in order to conduct
21 investigations or to make surveys or soundings;

22 (12) To purchase, lease, obtain options upon, acquire by gift, grant, bequest, devise, or
23 otherwise any property real or personal or any interest therein from any person, firm, corporation,
24 city, municipality, or government;

25 (13) To acquire any real property, including improvements and fixtures to this property;
26 to sell, exchange, transfer, assign, or pledge any property real or personal or any interest to this
27 property to any person, firm, corporation, municipality, city, or government;

28 (14) To own, hold, clear, and improve property;

29 (15) To insure or provide for the insurance of the property or operations of the authority
30 against risks as the authority may deem advisable;

31 (16) To procure insurance or guaranties from the federal government of the payment of
32 any debts or parts of debts secured by mortgages made or held by the authority on any property
33 included in any housing project;

34 (17) To borrow money upon its bonds, notes, debentures, or other evidences of

1 indebtedness, and to secure them by pledges of its revenues, and (subject to the limitations
2 imposed by this section) by mortgages upon property held or to be held by it, or in any other
3 manner;

4 (18) In connection with any loan, to agree to limitations upon its right to dispose of any
5 housing project or part of a project or to undertake additional housing projects;

6 (19) In connection with any loan by a government, to agree to limitations upon the
7 exercise of any powers conferred upon the authority by this chapter;

8 (20) To invest any funds held in reserves or sinking funds, or any funds not required for
9 immediate disbursements, in property or securities in which savings banks may legally invest
10 funds subject to their control; to sue and be sued;

11 (21) To have a seal and to alter that seal at pleasure; to have perpetual succession;

12 (22) To make and execute contracts and other instruments necessary or convenient to the
13 exercise of the powers of the authority;

14 (23) To make and, from time to time, amend and repeal bylaws, rules, and regulations
15 not inconsistent with this chapter, and to carry into effect the powers and purposes of the
16 authority;

17 (24) To conduct examinations and investigations, and to hear testimony and take proof
18 under oath at public or private hearings on any matter material for its information;

19 (25) To issue subpoenas requiring the attendance of witnesses or the production of books
20 and papers and to issue commissions for the examination of witnesses who are out of the state or
21 unable to attend before the authority, or excused from attendance; ~~and~~

22 (26) To make available to those agencies, boards or commissions as are charged with the
23 duty of abating or requiring the correction of nuisances or like conditions, or of demolishing
24 unsafe or unsanitary structures within its territorial limits, its findings and recommendations with
25 regard to any building or property where conditions exist which are dangerous to the public
26 health, morals, safety, or welfare; ~~and~~ and

27 (27) To request and receive from the various state and federal departments and agencies
28 income information relating to unemployment compensation, child support, alimony,
29 supplemental nutritional assistance and public welfare payments to be held in strict
30 confidentiality by the authority and shared as part of the process established with the federal
31 department of housing and urban development's earned income information system in
32 cooperation with other federal and state agencies for the purpose of determining the current
33 income of any applicant regarding rental calculations.

34 (b) Any of the investigations or examinations provided for in this chapter may be

1 conducted by the authority or by a committee appointed by it, consisting of one or more
2 commissioners, or by counsel, or by an officer or employee specially authorized by the authority,
3 to conduct it. Any commissioner, counsel for the authority, or any person designated by it to
4 conduct an investigation or examination has power to administer oaths, take affidavits, and issue
5 subpoenas or commissions. An authority may exercise any or all the powers conferred upon it,
6 either generally or with respect to any specific housing project or projects, through or by an agent
7 or agents which it may designate, including any corporation or corporations which are or shall be
8 formed under the laws of this state, and, for these purposes, an authority may cause one or more
9 corporations to be formed under the laws of this state or may acquire the capital stock of any
10 corporation or corporations. Any corporate agent, all of the stock of which is owned by the
11 authority or its nominee or nominees, may, to the extent permitted by law exercise any of the
12 powers conferred upon the authority. In addition to all of the other powers conferred upon it, an
13 authority may do all things necessary and convenient to carry out the powers expressly given in
14 chapters 25 and 27 of this title. No provisions with respect to the acquisition, operation, or
15 disposition of property by other public bodies are applicable to an authority unless stated
16 specifically by the legislature.

17 SECTION 2. This act shall take effect on July 1, 2015.

=====
LC02346/SUB A
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO TOWNS AND CITIES - CITY HOUSING AUTHORITIES

1 This act would empower a public housing authority to request and receive from the
2 various state departments and agencies income information relating to unemployment
3 compensation, child support, supplemental nutritional assistance and public welfare for the
4 purpose of accurately calculating the rental rate for applicants requesting public housing.

5 This act would take effect on July 1, 2015.

=====
LC02346/SUB A
=====