

HOUSE BILL NO. HB0135

Housing authorities.

Sponsored by: Representative(s) Schwartz, Gierau and
Halverson and Senator(s) Christensen

A BILL

for

1 AN ACT relating to municipalities and counties; amending
2 powers which may be exercised by a housing authority;
3 authorizing the appointment of additional commissioners to
4 a regional housing authority as specified; authorizing
5 staggered terms for regional housing authority
6 commissioners; and providing for an effective date.

7

8 *Be It Enacted by the Legislature of the State of Wyoming:*

9

10 **Section 1.** W.S. 15-10-115(a)(intro) and 15-10-116(b),
11 (c)(intro), (iii) and (f) are amended to read:

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13 **15-10-115. Powers which may be exercised by**
14 **municipality or county or by authority.**

15

1 (a) A municipality or county may exercise its housing
2 project powers or, if its governing body determines such
3 action to be in the public interest, may establish a
4 housing authority pursuant to W.S. 15-10-116 and elect to
5 have ~~these~~ its housing project powers exercised by ~~it~~ the
6 housing authority as provided in this subsection. A
7 housing authority so established ~~is vested with all~~ shall
8 only have the powers conferred by this chapter on
9 municipalities and counties as authorized by the governing
10 body of the municipality or county, except that the
11 following functions ~~must~~ shall be exercised by the
12 municipality or county itself:

13

14 **15-10-116. Housing authority; creation; form;**
15 **commissioners; proceedings; officers, agents; proof of**
16 **establishment.**

17

18 (b) If the governing body of each of two (2) or more
19 municipalities or counties, or combinations of
20 municipalities and counties, has made the finding
21 prescribed in W.S. 15-10-102, has taken the necessary
22 action to cooperate with one another and has elected as
23 provided in W.S. 15-10-115 to have its housing project

1 powers exercised by a housing authority created for all the
2 municipalities or counties so joining or cooperating, a
3 public body corporate and politic to be known as a regional
4 housing authority shall thereupon exist for all these
5 municipalities or counties or combinations thereof.
6 Additional municipalities or counties may elect to have the
7 regional authority exercise their powers as provided in
8 W.S. 15-10-115 upon taking the actions specified in this
9 subsection, and with the consent, by resolution, of all the
10 municipalities and counties having elected to have their
11 powers exercised by the regional authority.

12

13 (c) If a housing authority has been created and
14 authorized by a municipality or county to exercise its
15 housing project powers as provided in W.S. 15-10-115,
16 commissioners of the authority shall be appointed as
17 follows:

18

19 (iii) In the case of a regional housing
20 authority, the governing body of each municipality and
21 county participating shall appoint one (1) person as a
22 commissioner of the authority. If only two (2)
23 municipalities or counties or a combination thereof are

1 participating, the commissioners appointed by the governing
2 bodies of the participants shall appoint one (1) additional
3 commissioner unless the governing bodies of the
4 participants agree to each appoint one (1) additional
5 commissioner, in which case the four (4) commissioners
6 appointed by the two (2) governing bodies shall, upon
7 authorization of the governing bodies, appoint one (1)
8 additional commissioner. If three (3) or four (4)
9 municipalities or counties or a combination thereof are
10 participating, the commissioners appointed by the governing
11 bodies of the participants may, upon authorization of a
12 majority of the governing bodies, appoint additional
13 commissioners provided that the authority shall not exceed
14 a total of five (5) commissioners. The commissioners of a
15 regional authority shall be appointed for terms of five (5)
16 years, except that all vacancies shall be filled for the
17 unexpired term and upon formation of the authority, the
18 governing bodies of the participants may, with unanimous
19 consent, stagger the initial terms of the commissioners;

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21 (f) In any suit, action or proceeding involving the
22 validity or enforcement of or relating to any contract of
23 the authority, an authority is conclusively deemed to be

1 established and authorized to transact business and
2 exercise its powers upon proof of compliance with the
3 provisions of ~~paragraphs~~paragraph (c)(i) or (ii) of this
4 section, as the case may be. A copy of the resolutions
5 required to be adopted by the governing body electing to
6 have its housing project powers exercised by a housing
7 authority as provided in W.S. 15-10-115 shall be filed with
8 the clerk. A copy of the resolution duly certified by the
9 clerk is admissible in evidence in any suit, action or
10 proceeding.

11

12 **Section 2.** This act is effective immediately upon
13 completion of all acts necessary for a bill to become law
14 as provided by Article 4, Section 8 of the Wyoming
15 Constitution.

16

17

(END)