



General Assembly

Substitute Bill No. 5191

February Session, 2004

* _____ HB05191PD _____ 031504 _____ *

AN ACT PROHIBITING THE SALE OF A LOW OR MODERATE INCOME HOUSING PROJECT BY A HOUSING AUTHORITY WITHOUT A HEARING AND THE APPROVAL OF THE LEGISLATIVE BODY OF THE MUNICIPALITY IN WHICH THE PROJECT IS LOCATED.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) No housing authority
2 that, with state financial assistance or funds from any other source, has
3 constructed a low or moderate income rental housing project, or
4 purchased property for use as a low or moderate income rental
5 housing project may sell, lease, transfer or destroy, or contract to sell,
6 lease, transfer or destroy, such housing project or a portion of the
7 project where such project or portion would no longer be available for
8 low or moderate income rental housing, unless the legislative body of
9 the municipality approves, in writing, such sale, lease, transfer or
10 destruction. The legislative body may approve said sale, lease, transfer
11 or destruction if it finds, after a public hearing, that (1) the sale, lease,
12 transfer or destruction is in the best interest of the housing authority
13 and the municipality in which the project is located, (2) the housing
14 authority has developed a plan for the sale, lease, transfer or
15 destruction of the project or portion of the project in consultation with
16 the residents of the project and representatives of the municipality in
17 which the project is situated, and (3) the housing authority has made
18 adequate provision for said residents' and representatives'
19 participation in said plan. The legislative body shall give the residents

