

110TH CONGRESS
1ST SESSION

H. R. 3067

IN THE SENATE OF THE UNITED STATES

JULY 31, 2007

Received

AUGUST 3, 2007

Read twice and referred to the Committee on Banking, Housing, and Urban
Affairs

AN ACT

To amend the United States Housing Act of 1937 to exempt
small public housing agencies from the requirement of
preparing an annual public housing agency plan.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Small Public Housing
3 Authority Act”.

4 **SEC. 2. PUBLIC HOUSING AGENCY PLANS FOR CERTAIN**
5 **SMALL PUBLIC HOUSING AGENCIES.**

6 (a) IN GENERAL.—Section 5A(b) of the United
7 States Housing Act of 1937 (42 U.S.C. 1437e–1(b)) is
8 amended by adding at the end the following new para-
9 graph:

10 “(3) EXEMPTION OF CERTAIN SMALL PHAS
11 FROM FILING REQUIREMENT.—

12 “(A) IN GENERAL.—Notwithstanding para-
13 graph (1) or any other provision of this Act—

14 “(i) the requirement under paragraph
15 (1) shall not apply to any qualified small
16 public housing agency; and

17 “(ii) except as provided in subsection
18 (e)(4)(B), any reference in this section or
19 any other provision of law to a ‘public
20 housing agency’ shall not be considered to
21 refer to any qualified small public housing
22 agency, to the extent such reference ap-
23 plies to the requirement to submit an an-
24 nual public housing agency plan under this
25 subsection.

1 “(B) CIVIL RIGHTS CERTIFICATION.—Not-
2 withstanding that qualified small public housing
3 agencies are exempt pursuant to subparagraph
4 (A) from the requirement under this section to
5 prepare and submit an annual public housing
6 plan, each qualified small public housing agency
7 shall, on an annual basis, make the certification
8 described in paragraph (16) of subsection (d) of
9 this section, except that for purposes of such
10 small public housing agencies, such paragraph
11 shall be applied by substituting ‘the public
12 housing program of the agency’ for ‘the public
13 housing agency plan’.

14 “(C) DEFINITION.—For purposes of this
15 section, the term ‘qualified small public housing
16 agency’ means a public housing agency that
17 meets all of the following requirements:

18 “(i) The sum of (I) the number of
19 public housing dwelling units administered
20 by the agency, and (II) the number of
21 vouchers under section 8(o) of the United
22 States Housing Act of 1937 (42 U.S.C.
23 1437f(o)) administered by the agency, is
24 250 or fewer.

25 “(ii) The agency—

1 “(I) is not designated pursuant
2 to section 6(j)(2) as a troubled public
3 housing agency; and

4 “(II) has not, within the pre-
5 ceding 12 months, been assigned a
6 failing or below passing score under
7 the section 8 management assessment
8 program of the Secretary.”.

9 (b) RESIDENT PARTICIPATION.—Section 5A of the
10 United States Housing Act of 1937 (42 U.S.C. 1437c–
11 1) is amended—

12 (1) in subsection (e), by inserting after para-
13 graph (3) the following:

14 “(4) QUALIFIED SMALL PUBLIC HOUSING
15 AGENCIES.—

16 “(A) IN GENERAL.—Except as provided in
17 subparagraph (B), nothing in this section may
18 be construed to exempt a qualified small public
19 housing agency from the requirement under
20 paragraph (1) to establish one or more resident
21 advisory boards. Notwithstanding that qualified
22 small public housing agencies are exempt pur-
23 suant to subsection (b)(3)(A) from the require-
24 ment under this section to prepare and submit
25 an annual public housing plan, each qualified

1 small public housing agency shall consult with,
2 and consider the recommendations of the resi-
3 dent advisory boards for the agency, in any de-
4 terminations and actions of the agency regard-
5 ing establishing goals, objectives, and policies of
6 the agency.

7 “(B) APPLICABILITY OF WAIVER AUTHOR-
8 ITY.—Paragraph (3) shall apply to qualified
9 small public housing agencies, except that for
10 purposes of such small public housing agencies,
11 subparagraph (B) of such paragraph shall be
12 applied by substituting ‘the functions described
13 in the second sentence of paragraph (4)(A)’ for
14 ‘the functions described in paragraph (2)’.

15 “(f) PUBLIC HEARINGS.—”; and

16 (2) in subsection (f) (as so designated by the
17 amendment made by paragraph (1) of this sub-
18 section), by adding at the end the following new
19 paragraph:

20 “(5) QUALIFIED SMALL PUBLIC HOUSING
21 AGENCIES.—

22 “(A) REQUIREMENT.—Notwithstanding
23 that qualified small public housing agencies are
24 exempt pursuant to subsection (b)(3)(A) from
25 the requirement under this section to conduct a

1 public hearing regarding the annual public
2 housing plan of the agency, each qualified small
3 public housing agency shall, not less than annu-
4 ally, conduct a public hearing to discuss the
5 goals, objectives, and policies of the agency, and
6 any changes to such goals, objectives, and poli-
7 cies, and to invite public comment regarding
8 such issues.

9 “(B) AVAILABILITY OF INFORMATION AND
10 NOTICE.—Not later than 45 days before the
11 date of such a hearing, the qualified small pub-
12 lic housing agency shall—

13 “(i) make all information relevant to
14 the hearing and any determinations of the
15 agency regarding the goals, objectives, and
16 policies of the agency to be considered at
17 the hearing available for inspection by the
18 public at the principal office of the public
19 housing agency during normal business
20 hours; and

21 “(ii) publish a notice informing the
22 public that (I) the information is available
23 as required under clause (i), and (II) a
24 public hearing under subparagraph (A) will
25 be conducted.”.

(c) AMENDMENTS AND MODIFICATIONS TO PLANS.—

Subsection (g) of section 5A of the United States Housing Act of 1937 (42 U.S.C. 1437c–1(g)) is amended by adding at the end the following new paragraph:

5 “(3) QUALIFIED SMALL PUBLIC HOUSING
6 AGENCIES.—Except to the extent that this sub-
7 section applies to annual public housing agency
8 plans, nothing in this section may be construed to
9 exempt a qualified small public housing agency from
10 the requirements under this subsection.”.

Passed the House of Representatives July 30, 2007.

Attest: LORRAINE C. MILLER,
Clerk.