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HOUSE BILL 505

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

Roberto "Bobby" J. Gonzales and Eliseo Lee Alcon and
Joseph L. Sanchez

AN ACT

RELATING TO HOUSING; AMENDING SECTIONS OF THE REGIONAL HOUSING
LAW; CHANGING THE REQUIRED COUNTY OF ORIGIN DISTRIBUTION FOR
REGIONAL HOUSING AUTHORITY BOARD COMMISSIONERS; REMOVING STATE
BOARD OF FINANCE APPROVAL FOR CREATION OF NONPROFIT
CORPORATIONS AND THEIR ARTICLES OF INCORPORATION AND BYLAWS
PRIOR TO APPROVAL BY THE NEW MEXICO MORTGAGE FINANCE AUTHORITY;
CLARIFYING THE OWNERSHIP OF PROPERTY BY REGIONAL HOUSING
AUTHORITIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 11-3A-6 NMSA 1978 (being Laws 1994,
Chapter 132, Section 6, as amended) is amended to read:

"11-3A-6. POWERS OF REGIONAL HOUSING AUTHORITY IN BOARD
OF COMMISSIONERS--APPOINTMENT OF BOARD OF REGIONAL HOUSING
AUTHORITIES--TERMS.--

underscored material = new
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1 A. The powers of each regional housing authority
2 shall be vested in its board of commissioners as the board may
3 be constituted, from time to time. The board of commissioners
4 of the regional housing authority for each of the three regions
5 shall be appointed by the governor and consist of ~~[one person~~
6 ~~from each county within]~~ at least seven members who shall be
7 residents of the designated area of the regional housing
8 authority ~~[which person shall be a resident];~~ provided that no
9 more than two members shall be residents of ~~[that]~~ the same
10 county ~~[and shall be appointed by the governor]~~. Appointments
11 shall be for terms of four years and shall be made so that the
12 terms of not more than four commissioners on each board of
13 commissioners expire on July 1 of each year. Vacancies shall
14 be filled for the unexpired term. Commissioners shall serve
15 until their successors have been appointed.

16 B. Members of ~~[a]~~ the board of commissioners of a
17 regional housing authority shall elect an executive committee
18 consisting of a chair, vice chair, treasurer, secretary and one
19 other member of the board to function and meet on a monthly
20 basis as an executive committee. The executive committee shall
21 have the authority to act on behalf of the board of
22 commissioners of the regional housing authority as needed. The
23 executive committee shall submit a report of actions to the
24 full board of commissioners, which shall meet on a quarterly
25 basis.

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underscored material = new
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1 C. ~~[The]~~ Members of the ~~[boards]~~ board of
2 commissioners of a regional housing authority may receive per
3 diem and mileage as provided in the Per Diem and Mileage Act
4 but shall receive no other compensation, perquisite or
5 allowance. A majority of the appointed commissioners of a
6 board of commissioners shall constitute a quorum of ~~[a]~~ the
7 board ~~[of commissioners]~~ for the purpose of conducting its
8 business and exercising its powers and for all other purposes.
9 Action may be taken by a regional housing authority upon a vote
10 of a majority of the commissioners present. Each board of
11 commissioners shall organize itself at its annual meeting each
12 year. A board of commissioners may employ an executive
13 director, subject to approval by the New Mexico mortgage
14 finance authority. With delegated authority from the board of
15 commissioners, the executive director may hire or terminate,
16 according to the procurement and personnel policies and
17 procedures of the regional housing authority, any technical
18 experts, officers, attorneys, agents or employees, permanent or
19 temporary, as the regional housing authority may require.

20 D. The threshold requirements for commissioners of
21 boards of regional housing authorities are that commissioners
22 have expertise and experience in housing construction, real
23 estate, architecture, law, banking, housing finance, business,
24 property management, accounting, residential development,
25 public housing programs, community development, social services

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underscored material = new
[bracketed material] = delete

1 or health care. The requirements set forth in this section
2 shall not apply to commissioners serving pursuant to
3 requirements of the federal department of housing and urban
4 development.

5 E. Commissioners are expected to attend all
6 meetings of the board of commissioners of the regional housing
7 authority, and more than three unexcused absences may be
8 grounds for dismissal from the board. All recommendations for
9 ~~[appointment as]~~ appointments of commissioners shall be
10 forwarded to and reviewed by the New Mexico mortgage finance
11 authority prior to recommendation to the governor."

12 SECTION 2. Section 11-3A-9 NMSA 1978 (being Laws 1994,
13 Chapter 132, Section 9, as amended) is amended to read:

14 "11-3A-9. NONPROFIT CORPORATIONS.--Every regional housing
15 authority, in addition to other powers conferred by the
16 Regional Housing Law, shall have, if authorized by resolution
17 of its board of commissioners, ~~[and approved by the state board~~
18 ~~of finance]~~ the power to create nonprofit corporations to carry
19 out the powers and duties set forth in Section 11-3A-7 NMSA
20 1978. The articles of incorporation and bylaws, and any
21 subsequent changes, shall be recommended for approval by ~~[the~~
22 ~~state board of finance and]~~ the New Mexico mortgage finance
23 authority. Such nonprofit corporations shall be subject to all
24 of the duties and limitations imposed on the regional housing
25 authority and its board of commissioners."

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