

January 30, 1961.  
Cities and Towns.

House File 187

By DENMAN, DUFFY, ELY, STANLEY,  
PETERSON of Woodbury, RILEY and ANDERSEN  
(O'Malley, Wolf, Van Eaton and Nolan).

Passed House, Date.....3-29-61 Passed Senate, Date.....4-28-61  
Vote: Ayes.....87 Nays.....15 Vote: Ayes.....44 Nays.....4

Approved.....

*House Concurred 5/1/61 96-9*

## A BILL FOR

An Act relating to low-rent housing.

WHEREAS, it is hereby declared: (a) that there exist in municipalities in the state, insanitary, unsafe and overcrowded dwelling accommodations; that in such municipalities within the state there is a shortage of safe or sanitary dwelling accommodations available at rents or prices which persons of low income can afford and that such shortage forces such persons to occupy insanitary, unsafe and overcrowded dwelling accommodations; (b) that the aforesaid conditions cause an increase in and spread of disease and crime and constitute a menace to the health, safety, morals and welfare of the residents of the state; that these conditions necessitate excessive and disproportionate expenditures of public funds for crime prevention and punishment, public health and safety, fire and accident protection, and other public services and facilities; (c) that these slum areas cannot be cleared, nor can the shortage of safe and sanitary dwellings for persons of low income be relieved through the operation of private enterprise, and that the construction of housing projects for persons of low income (as herein defined) would therefore not be competitive with private enterprise; (d) that the construction of such projects would make housing available for persons of low income who are displaced in the rehabilitation, clearance and redevelopment of slums and blighted areas or as the result of other governmental action, and for veterans of low income who are unable to provide themselves with decent housing on the basis of the benefits heretofore made available to them through certain government guarantees of loans to veterans for the purchase of residential property; (e) that the clearance, replanning and preparation for rebuilding of these areas and the providing of safe and sanitary dwelling accommodations for persons of low income are public uses and purposes for which public money may be spent and private property acquired and are governmental functions of state concern; (f) that residential construction activity is closely correlated with general economic activity and that the undertakings authorized by this chapter to aid the production of better housing and more desirable neighborhood and community development at lower costs will make possible a more stable and larger volume of residential construction which will assist materially in maintaining full employment; and that the necessity in the public interest for the provisions hereinafter enacted is

hereby declared as a matter of legislative determination; Now  
Therefore

*Be It Enacted by the General Assembly of the State of Iowa:*

**This is a Companion Bill; for complete text see Senate File 79.**

#### EXPLANATION OF HOUSE FILE 187

This bill is essentially an enabling act which will permit cities and counties to engage in the field of low-rent housing for low-income families, including the aged. It permits the use of federal funds to finance any such projects. Under present law, cities and counties cannot engage in low-rent housing and cannot use federal funds for such purpose even though they wish to do so. The bill is permissive in nature and not mandatory, and it provides for management control at the local community level rather than at a state or federal level.

This bill is necessary if urban renewal activities are to proceed in a normal manner. Under urban renewal law, a family cannot be displaced until a decent, safe and sanitary place has been found into which such family can be moved, which must be within the financial means of the displaced family and which must be in a reasonably convenient location. Many low-income families live in urban renewal areas and do not have the means or credit to rent or buy housing units which private industry can afford to build. Low-rent housing appears to be the only answer.

The form of this bill is generally taken from a model suggested by federal authorities and is a composite of the best features of numerous state laws. Only four states, Iowa, Oklahoma, Utah and Wyoming, do not have any enabling legislation. The citizens of Iowa are, and have been paying, for low-rent housing in all the other states, but cannot engage in same without legislation such as this.

The need for legislation on this subject has been urged by many organizations in the state, including the Iowa League of Municipalities. It has also been endorsed in the state platform of both major political parties.

HOUSE FILE 187

- Amend*
- 1 Amend House File 187 as follows:
  - 2 1. By striking from lines 5 and 6 of Section 2 the following:
  - 3 "town or county in the state." and by inserting in lieu thereof
  - 4 the following: "in the state having a population of one hundred
  - 5 fifty thousand or more."
  - 6 2. By striking from lines 14 and 19 of section 7 the word
  - 7 "preceding" and inserting in lieu thereof in each line the
  - 8 word "preceding".

Filed *Denman*  
February 16, 1961.

DENMAN of Poik.

HOUSE FILE 187

- 1 Amend House File 187 as follows:
- 2 1. By inserting after Section 24 the following new section:
- 3 No municipality shall erect or operate any low-rent housing
- 4 authorized under the provisions of this chapter unless the
- 5 question of entering into such housing activities shall have
- 6 been authorized by a vote of at least sixty per cent of the
- 7 electors of such municipality voting on the proposition at any
- 8 regular municipal, primary or general election.
- 9 Notice of the time and place of such election shall be given
- 10 by publication once each week for three consecutive weeks prior
- 11 thereto in some newspaper having a general circulation in such
- 12 municipality. Such election may be called by the governing body
- 13 of the municipality, and shall be called when a petition asking
- 14 for such election, signed by at least two per cent of the electors
- 15 of the municipality voting for governor at the last preceding
- 16 general election, has been filed with the clerk of the municipality.
- 17 The form of the question to be presented for a vote of the
- 18 electors shall be in substantially the following form: "Shall the
- 19 (name of municipality) engage in low-rent housing activities under
- 20 the provisions of Chapter (number of this chapter) of the Code?"
- 21 2. By renumbering all subsequent sections.

*Amendment*  
*3/29*

Filed  
February 20, 1961.

HOUGEN of Black Hawk.

HOUSE FILE 187

- 1 Amend the Hougen amendment to House File 187, filed
- 2 February 20, 1961, by inserting after line twenty (20) the
- 3 following: "Each specific project shall be voted on
- 4 separately."

*Amendment*  
*3/20*

Filed  
February 21, 1961.

NADEN of Hamilton.

HOUSE FILE 187

- 1 Amend the Hougen amendment to House File 187 by striking from
- 2 line six (6) the words "at least sixty per cent" and substituting
- 3 in lieu thereof the words "a simple majority".

*Amendment*  
*3/29*

Filed  
March 16, 1961.

RILEY of Linn.

HOUSE FILE 187

- 1 Amend the Denman amendment to House File 187 by striking
- 2 the words "one hundred" in line 4 and the word "fifty" in line 5
- 3 and substituting in lieu thereof the words "seventy-five".

Filed  
March 22, 1961.

RILEY of Lynn.

HOUSE FILE 187

- 1 Amend House File 187, section three (3), subsection
- 2 one (1), by changing the period to a comma and adding at the
- 3 end thereof the following: "provided that total construction
- 4 cost of any project shall not exceed eleven thousand dollars
- 5 (\$11,000) per family unit."

*Amendment*  
*3/29*

Filed  
March 27, 1961.

HOUGEN of Black Hawk.

HOUSE FILE 187

- 1 Amend House File 187 by adding the following new subsection
- 2 to section five (5):
- 3 2. No municipality shall exercise the authority herein
- 4 conferred upon municipalities by this chapter until after its
- 5 local governing body shall have held a public hearing on a
- 6 housing project under consideration; which public hearing
- 7 shall be only after public notice thereof by publication in
- 8 a newspaper having a general circulation in the area of
- 9 operation of the municipality. The notice shall describe the
- 10 time, date, place and purpose of the hearing, shall generally
- 11 identify the location for the housing project under consideration
- 12 and shall outline the general scope of the housing project plan
- 13 under consideration.

Filed  
March 28, 1961.

RILEY of Linn.

HOUSE FILE 187

- 1 Amend the Hougen amendment to House File 187 by adding
- 2 to the end of line eight (8) the following:
- 3 "or by special election called by the governing body of
- 4 the municipality."

Filed  
March 28, 1961.

RILEY of Linn.

HOUSE FILE 187

- 1 Amend House File 187, section three (3), subsection one (1),
- 2 by striking the period at the end thereof, inserting a comma,
- 3 and adding the following: "provided that the total construction
- 4 costs of any project shall not exceed twenty thousand dollars
- 5 per family unit."

Filed and lost  
March 29, 1961.

FISCHER of Grundy.

HOUSE FILE 187

- 1 Amend House File 187, section 7, by inserting in
- 2 line 3 after the word "income" the following: "who
- 3 occupied dwellings which were razed in connection with an
- 4 urban renewal project."

Filed  
April 24, 1961.

By DYKHOUSE.

HOUSE FILE 187

- 1 Amend House File 187 as follows:
- 2 1. Amend section 2 by striking all of subsection 10 and inserting
- 3 in lieu thereof the following:
- 4 "10. (a) "Persons of low income" means persons or families
- 5 whose combined gross income does not exceed thirty-six hundred
- 6 (3,600) dollars per annum, except that in case of families with
- 7 one or more dependents said annual income shall not exceed an
- 8 additional one hundred (100) dollars for each such dependent.
- 9 When the annual income of the person or family exceeds thirty-six
- 10 hundred (3600) dollars plus one hundred (100) dollars for each
- 11 such dependent by the sum of six hundred (600) dollars he shall
- 12 be required to vacate within six (6) months.
- 13 (b) "Gross income" shall mean the adjusted gross income
- 14 as defined by the Federal Internal Revenue Code increased by the
- 15 amount of government or private retirement or disability pensions and
- 16 payments received, and excluding the first five hundred (500) dollars
- 17 of earnings of students who attended a regular public or private
- 18 school for a period of at least five (5) months of the previous calendar
- 19 year.
- 20 (c) "Dependent" means members of the household, other than
- 21 the spouse or head of the household, who qualify as dependents under
- 22 the Federal Internal Revenue Code."
- 23 2. Amend section 7, line 13, by adding after the word "project."
- 24 the following:
- 25 "Provided, however, such determination of eligibility shall be
- 26 within the limits of the income limits hereinbefore set out."

Filed and adopted  
April 28, 1961.

By SCHROEDER, STUART and POTTER.