

April 11, 1968

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Mr. Joseph M. Rowley, Director
Department of Community Affairs
Jefferson Building
Jefferson City, Missouri

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Re: Legal Authority of the Missouri
Department of Community Affairs
to participate under Title VIII
of the Housing Act of 1964
(P.L. 88-560; 20 U.S.C. 801, et seq)

Dear Mr. Rowley:

The 74th General Assembly of the State of Missouri created the Department of Community Affairs by the enactment of House Bill No. 129, effective October 13, 1967. This legislation is now included in Chapter 251, RSMo 1967 Supp.

Under the above law the Department is charged with, inter alia, the following duties:

"Exercise the state's responsibility for administering, supervising, coordinating and generally performing the role of state government as set forth in those federal programs concerning community affairs which are assigned to the department by the general assembly or by the governor;"
(251.030(8), RSMo 1967 Supp)

The Department, by and through its director, is authorized to receive and utilize Federal funds in furtherance of its functions (§§ 251.090, 251.190, RSMo 1967 Supp.)

By Executive Order of February 14, 1968, Warren E. Hearnes, Governor of the State of Missouri, officially designated the Department of Community Affairs as the participating state agency, in accordance with § 802(a) (4) of the Housing Act of 1964.

Mr. Joseph M. Rowley

Therefore, it is my opinion that the Missouri Department of Community Affairs has the authority under state law to carry out the proposed activities and to accept Federal funds under Title VIII of the Housing Act of 1964 (Public Law 88-560, 20 U.S.C. 801).

Very truly yours,

NORMAN H. ANDERSON
Attorney General