

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2162 Session of 2024

INTRODUCED BY POWELL, LABS, SANCHEZ, PROBST, BULLOCK, HILL- EVANS, KINKEAD, CEPEDA-FREYTIZ, KINSEY, DALEY, BOYD, SCHLOSSBERG, CERRATO, FLEMING, KRAJEWSKI, SCOTT, MIHALEK, ROZZI, SHUSTERMAN, FRANKEL, KAZEEM, T. DAVIS, BOROWSKI, STEELE, PASHINSKI, GREEN, KIM AND CURRY, MARCH 27, 2024

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 12, 2024

AN ACT

1 Amending the act of May 28, 1937 (P.L.955, No.265), entitled "An
2 act to promote public health, safety, morals, and welfare by
3 declaring the necessity of creating public bodies, corporate
4 and politic, to be known as housing authorities to engage in
5 slum clearance, and to undertake projects, to provide
6 dwelling accommodations for persons of low income; providing
7 for the organization of such housing authorities; defining
8 their powers and duties; providing for the exercise of such
9 powers, including the acquisition of property by purchase,
10 gift or eminent domain, the renting and selling of property,
11 and including borrowing money, issuing bonds, and other
12 obligations, and giving security therefor; prescribing the
13 remedies of obligees of housing authorities; authorizing
14 housing authorities to enter into agreements, including
15 agreements with the United States, the Commonwealth, and
16 political subdivisions and municipalities thereof; defining
17 the application of zoning, sanitary, and building laws and
18 regulations to projects built or maintained by such housing
19 authorities; exempting the property and securities of such
20 housing authorities from taxation; and imposing duties and
21 conferring powers upon the State Planning Board, and certain
22 other State officers and departments," further providing for
23 relocation.

24 The General Assembly of the Commonwealth of Pennsylvania
25 hereby enacts as follows:

26 Section 1. Section 13.3(a), (c)(4), (e)(4), (f) introductory

1 paragraph, (2), (3) and (4), (g), (h), (i) and (n) of the act of
2 May 28, 1937 (P.L.955, No.265), known as the Housing Authorities
3 Law, are amended AND THE SECTION IS AMENDED BY ADDING A <--
4 SUBSECTION to read:

5 Section 13.3. Relocation.--(a) [A tenant who] If a tenant
6 or an affiliated individual is a victim [of domestic or sexual
7 violence] OF DOMESTIC VIOLENCE, SEXUAL VIOLENCE OR OTHER <--
8 VIOLENCE, the tenant may request relocation under this section
9 if the tenant expressly requests an emergency transfer and:

10 (1) the tenant or an affiliated individual [experienced
11 domestic or sexual violence] EXPERIENCED DOMESTIC VIOLENCE, <--
12 SEXUAL VIOLENCE OR OTHER VIOLENCE AND became a victim on or near
13 the premises within [ninety (90)] one hundred eighty (180)
14 calendar days of the request; or

15 (2) the tenant reasonably believes that the tenant or an
16 affiliated individual is threatened with imminent harm [of
17 domestic or sexual violence] OF DOMESTIC VIOLENCE, SEXUAL <--
18 VIOLENCE OR OTHER VIOLENCE if the tenant or affiliated
19 individual remains on the premises.

20 * * *

21 (c) A tenant seeking relocation may submit to an authority a
22 request for any of the following:

23 * * *

24 (4) Assistance with contacting local organizations offering
25 assistance to victims [of domestic or sexual violence] OF <--
26 DOMESTIC VIOLENCE, SEXUAL VIOLENCE OR OTHER VIOLENCE.

27 * * *

28 (e) If an authority finds that the tenant qualifies for
29 relocation or related assistance under this section, the
30 authority shall take any of the following steps, subject to

1 availability:

2 * * *

3 (4) assist the tenant with contacting local organizations
4 offering assistance to victims [of domestic or sexual violence]
5 OF DOMESTIC VIOLENCE, SEXUAL VIOLENCE OR OTHER VIOLENCE. <--

6 (f) A tenant may establish sufficient proof [of domestic or
7 sexual violence] OF DOMESTIC VIOLENCE, SEXUAL VIOLENCE OR OTHER <--
8 VIOLENCE that the tenant or affiliated individual is a victim OF <--
9 OTHER VIOLENCE to qualify for relocation under this section
10 through any of the following:

11 * * *

12 (2) Police reports, medical records or court documents
13 relating to the tenant's or an affiliated individual's
14 victimization [as a result of domestic or sexual violence].

15 (3) A certification of [abuse] victimization as provided in
16 subsection (g).

17 (4) Any other evidence of the conviction or other
18 adjudication of guilt [for domestic or sexual violence committed
19 against] for the act or acts of which FOR DOMESTIC VIOLENCE, <--
20 SEXUAL VIOLENCE OR OTHER VIOLENCE COMMITTED AGAINST the tenant
21 or an affiliated individual is a victim. <--

22 (g) [If an authority receives no conflicting information <--
23 regarding {domestic or sexual violence} the tenant or affiliated <--
24 individual's status as a victim,] A TENANT MAY PROVIDE AS <--
25 SUFFICIENT PROOF TO ESTABLISH ELIGIBILITY FOR RELOCATION UNDER
26 THIS SECTION, OR an authority may request a tenant seeking
27 relocation under this section to submit a certification to the
28 authority that includes the following:

29 (1) The tenant's name.

30 (2) The address of the tenant's dwelling unit.

1 (3) A statement that the tenant or an affiliated individual
2 is a victim [of domestic or sexual violence] OF DOMESTIC <--
3 VIOLENCE, SEXUAL VIOLENCE OR OTHER VIOLENCE.

4 (4) A statement of the incident [of domestic or sexual
5 violence] in which the tenant or affiliated individual is a
6 victim OF DOMESTIC VIOLENCE, SEXUAL VIOLENCE OR OTHER VIOLENCE. <--

7 (5) If known and safe to provide, the name of the
8 perpetrator who committed the [domestic or sexual violence] act
9 of which the tenant or affiliated individual is a victim <--
10 DOMESTIC VIOLENCE, SEXUAL VIOLENCE OR OTHER VIOLENCE. <--

11 (6) The proposed date for the termination of the lease or
12 the release of the tenant from the lease.

13 ~~(h) If an authority receives conflicting information~~ <--
14 ~~regarding [domestic or sexual violence] the tenant or affiliated~~
15 ~~individual's status as a victim, an authority may request a~~
16 ~~written verification signed by an attesting third party that~~
17 ~~includes the following:~~

18 ~~(1) The tenant's name.~~

19 ~~(2) The address of the tenant's dwelling unit.~~

20 ~~(3) The approximate dates during which the [domestic or~~
21 ~~sexual violence] qualifying act occurred, including the most~~
22 ~~recent date.~~

23 ~~(4) The name, address and telephone number of the attesting~~
24 ~~third party. The authority may waive the inclusion of any part~~
25 ~~of this information it determines would unreasonably risk the~~
26 ~~safety of the tenant or an affiliated individual.~~

27 ~~(5) The capacity in which the attesting third party received~~
28 ~~the information regarding the [domestic or sexual violence]~~
29 ~~tenant or affiliated individual's victimization.~~

30 ~~(6) A statement that the attesting third party:~~

1 ~~(i) has been advised by the tenant or an affiliated~~
2 ~~individual that the tenant or an affiliated individual is a~~
3 ~~victim [of domestic or sexual violence];~~
4 ~~(ii) considers the tenant's certification to be credible;~~
5 ~~(iii) understands that the verification may be used as the~~
6 ~~basis for releasing the tenant from a lease; and~~
7 ~~(iv) understands that the statement may be used in court in~~
8 ~~proceedings related to this section.~~

9 [(H) IF AN AUTHORITY RECEIVES CONFLICTING INFORMATION <--
10 REGARDING DOMESTIC OR SEXUAL VIOLENCE, AN AUTHORITY MAY REQUEST
11 A WRITTEN VERIFICATION SIGNED BY AN ATTESTING THIRD PARTY THAT
12 INCLUDES THE FOLLOWING:

13 (1) THE TENANT'S NAME.

14 (2) THE ADDRESS OF THE TENANT'S DWELLING UNIT.

15 (3) THE APPROXIMATE DATES DURING WHICH THE DOMESTIC OR
16 SEXUAL VIOLENCE OCCURRED, INCLUDING THE MOST RECENT DATE.

17 (4) THE NAME, ADDRESS AND TELEPHONE NUMBER OF THE ATTESTING
18 THIRD PARTY. THE AUTHORITY MAY WAIVE THE INCLUSION OF ANY PART
19 OF THIS INFORMATION IT DETERMINES WOULD UNREASONABLY RISK THE
20 SAFETY OF THE TENANT OR AN AFFILIATED INDIVIDUAL.

21 (5) THE CAPACITY IN WHICH THE ATTESTING THIRD PARTY RECEIVED
22 THE INFORMATION REGARDING THE DOMESTIC OR SEXUAL VIOLENCE.

23 (6) A STATEMENT THAT THE ATTESTING THIRD PARTY:

24 (I) HAS BEEN ADVISED BY THE TENANT OR AN AFFILIATED
25 INDIVIDUAL THAT THE TENANT OR AN AFFILIATED INDIVIDUAL IS A
26 VICTIM OF DOMESTIC OR SEXUAL VIOLENCE;

27 (II) CONSIDERS THE TENANT'S CERTIFICATION TO BE CREDIBLE;

28 (III) UNDERSTANDS THAT THE VERIFICATION MAY BE USED AS THE
29 BASIS FOR RELEASING THE TENANT FROM A LEASE; AND

30 (IV) UNDERSTANDS THAT THE STATEMENT MAY BE USED IN COURT IN

1 PROCEEDINGS RELATED TO THIS SECTION.]

2 (i) If the [domestic or sexual violence] ~~qualifying act of~~ <--
3 ~~which the tenant or affiliated individual was a victim~~ DOMESTIC <--
4 VIOLENCE, SEXUAL VIOLENCE OR OTHER VIOLENCE OF WHICH THE TENANT
5 OR AFFILIATED INDIVIDUAL WAS A VICTIM did not occur on the
6 premises within [ninety (90)] one hundred eighty (180) calendar
7 days of the date of the request for relocation, documentation
8 under this section submitted by a tenant must include a
9 statement that the tenant reasonably believes the tenant or an
10 affiliated individual is threatened with imminent harm from
11 further [domestic or sexual] DOMESTIC VIOLENCE, SEXUAL VIOLENCE <--
12 OR OTHER violence if not relocated from the current dwelling
13 unit.

14 * * *

15 (M.1) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO <--
16 SUPERSEDE ANY PROVISIONS OF FEDERAL, STATE OR LOCAL STATUTE,
17 LAW, ORDINANCE, REGULATION OR RULE THAT PROVIDES GREATER
18 PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, SEXUAL VIOLENCE OR
19 OTHER VIOLENCE, INCLUDING, BUT NOT LIMITED TO, 34 U.S.C. CH. 121
20 SUBCH. III (RELATING TO VIOLENCE AGAINST WOMEN).

21 (n) As used in this section, the following words and phrases
22 shall have the meanings given to them in this subsection:

23 "Affiliated individual." As defined by 34 U.S.C. § 12491(a)
24 (1) (relating to housing protections for victims of domestic
25 violence, dating violence, sexual assault, and stalking).

26 ["Attesting third party." Any of the following:] <--

27 (1) A law enforcement official.

28 (2) A licensed health care professional.

29 (3) A victim advocate [as defined by 34 U.S.C. § 12291(a)] <--

30 (4) (relating to definitions and grant provisions)†. <--

1 (4) A victim assistant as defined by 34 U.S.C. § 12291(a)

2 (42).

3 (5) A victim service provider ~~as defined by 34 U.S.C. §~~ <--
4 12291(a)(43) or a provider of victim services as defined by 34
5 U.S.C. § 12291(a)(44).] <--

6 ~~(6) A licensed social worker.~~ <--

7 "Completed request." A request including or supplemented
8 with information which the authority requires to determine the
9 tenant's eligibility for relocation assistance under this
10 section.

11 "Domestic [or sexual] violence." Any of the following: <--

12 (1) Conduct against a family or household member that
13 constitutes an offense under any of the following:

14 (i) 18 Pa.C.S. § 2504 (relating to involuntary
15 manslaughter).

16 (ii) 18 Pa.C.S. § 2701 (relating to simple assault).

17 (iii) 18 Pa.C.S. § 2702(a)(3), (4) or (5) (relating to
18 aggravated assault).

19 (iv) 18 Pa.C.S. § 2705 (relating to recklessly endangering
20 another person).

21 (v) 18 Pa.C.S. § 2706 (relating to terroristic threats).

22 (vi) 18 Pa.C.S. § 2709.1 (relating to stalking).

23 [(vii) 18 Pa.C.S. § 3124.1 (relating to sexual assault).] <--

24 For the purpose of this paragraph, the term "family or household
25 member" shall have the same meaning as in 23 Pa.C.S. § 6102
26 (relating to definitions).

27 (2) Conduct that constitutes abuse as defined in 23 Pa.C.S.
28 § 6102.

29 (3) Conduct that constitutes sexual violence as defined in
30 42 Pa.C.S. § 62A03 (relating to definitions).

1 (4) Dating violence, as defined in section 1553(f) of the
2 act of March 10, 1949 (P.L.30, No.14), known as the "Public
3 School Code of 1949."

4 "Premises." A dwelling and the structure of which it is a
5 part. The term includes the exterior or interior areas:

6 (1) associated with the structure that are excluded from the
7 dwelling unit, including the fixtures, facilities and
8 appurtenances; and

9 (2) held out for the use of tenants generally or the use of
10 which is promised to the tenants.

11 "SEXUAL VIOLENCE." ANY OF THE OFFENSES DEFINED UNDER 18 <--
12 PA.C.S. CH. 31 SUBCH. B (RELATING TO DEFINITION OF OFFENSES) AND
13 18 PA.C.S. § 6312 (RELATING TO SEXUAL ABUSE OF CHILDREN).

14 "Victim OF OTHER VIOLENCE." Any of the following: <--

15 (1) An individual against whom an act of domestic violence, <--
16 sexual violence or stalking was committed or attempted.

17 ~~(2)~~ An individual against whom a crime as defined in section
18 103 of the act of November 24, 1998 (P.L.882, No.111), known as
19 the Crime Victims Act, was committed or attempted, if the crime
20 directly resulted in the individual's physical injury, directly
21 resulted in the individual's mental injury where there was a
22 reasonably perceived or actual threat of physical injury or
23 directly resulted in the individual's death, and regardless of
24 whether a responsible party was arrested or adjudicated for the
25 commission of the crime.

26 ~~(3)~~ (2) An individual who is an intervenor, as defined in <--
27 section 103 of the Crime Victims Act, in an act or crime
28 described in paragraph (1) ~~or (2)~~. <--

29 ~~(4)~~ (3) An individual who was physically present at the <--
30 scene of an act or crime described in paragraph (1) ~~or (2)~~ and <--

1 witnessed the act or crime, and who as a direct result:

2 (i) suffers physical or mental injury; or

3 (ii) reasonably believes that the individual is under threat
4 of physical harm.

5 ~~"Victim advocate." An individual, whether paid or serving as~~<--
6 ~~a volunteer, who provides services to victims under the auspices~~
7 ~~or supervision of a victim service provider or a court or a law~~
8 ~~enforcement or prosecution agency.~~

9 ~~"Victim service provider." An agency or organization~~
10 ~~providing services to victims. The term includes a rape crisis~~
11 ~~center, domestic violence shelter, faith based organization or~~
12 ~~agency or organization with a documented history of providing~~
13 ~~services to victims.~~

14 Section 2. This act shall take effect in 60 days.