
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2031 Session of
2021

INTRODUCED BY LABS, MIHALEK, THOMAS, PENNYCUICK, SCHROEDER,
HILL-EVANS, O'NEAL, KAIL, LEWIS DELROSSO, RYAN, MERCURI,
TOOHIL, MIZGORSKI AND JOZWIAK, OCTOBER 28, 2021

REFERRED TO COMMITTEE ON URBAN AFFAIRS, OCTOBER 28, 2021

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
27 paragraph, (2), (3) and (4), (g), (h), (i) and (n) of the act of
28 May 28, 1937 (P.L.955, No.265), known as the Housing Authorities

1 Law, are amended to read:

2 Section 13.3. Relocation.--(a) [A tenant who] If a tenant
3 or an affiliated individual is a victim [of domestic or sexual
4 violence], the tenant may request relocation under this section
5 if the tenant expressly requests an emergency transfer and:

6 (1) the tenant or an affiliated individual [experienced
7 domestic or sexual violence] became a victim on or near the
8 premises within [ninety (90)] one hundred eighty (180) calendar
9 days of the request; or

10 (2) the tenant reasonably believes that the tenant or an
11 affiliated individual is threatened with imminent harm [of
12 domestic or sexual violence] if the tenant or affiliated
13 individual remains on the premises.

14 * * *

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

17 * * *

18 (4) Assistance with contacting local organizations offering
19 assistance to victims [of domestic or sexual violence].

20 * * *

21 (e) If an authority finds that the tenant qualifies for
22 relocation or related assistance under this section, the
23 authority shall take any of the following steps, subject to
24 availability:

25 * * *

26 (4) assist the tenant with contacting local organizations
27 offering assistance to victims [of domestic or sexual violence].

28 (f) A tenant may establish sufficient proof [of domestic or
29 sexual violence] that the tenant or affiliated individual is a
30 victim to qualify for relocation under this section through any

1 of the following:

2 * * *

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

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

8 (4) Any other evidence of the conviction or other
9 adjudication of guilt [for domestic or sexual violence committed
10 against] for the act or acts of which the tenant or an
11 affiliated individual is a victim.

12 (g) If an authority receives no conflicting information
13 regarding [domestic or sexual violence] the tenant or affiliated
14 individual's status as a victim, an authority may request a
15 tenant seeking relocation under this section to submit a
16 certification to the authority that includes the following:

17 (1) The tenant's name.

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

19 (3) A statement that the tenant or an affiliated individual
20 is a victim [of domestic or sexual violence].

21 (4) A statement of the incident [of domestic or sexual
22 violence] in which the tenant or affiliated individual is a
23 victim.

24 (5) If known and safe to provide, the name of the
25 perpetrator who committed the [domestic or sexual violence] act
26 of which the tenant or affiliated individual is a victim.

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

29 (h) If an authority receives conflicting information
30 regarding [domestic or sexual violence] the tenant or affiliated

1 individual's status as a victim, an authority may request a
2 written verification signed by an attesting third party that
3 includes the following:

4 (1) The tenant's name.

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

6 (3) The approximate dates during which the [domestic or
7 sexual violence] qualifying act occurred, including the most
8 recent date.

9 (4) The name, address and telephone number of the attesting
10 third party. The authority may waive the inclusion of any part
11 of this information it determines would unreasonably risk the
12 safety of the tenant or an affiliated individual.

13 (5) The capacity in which the attesting third party received
14 the information regarding the [domestic or sexual violence]
15 tenant or affiliated individual's victimization.

16 (6) A statement that the attesting third party:

17 (i) has been advised by the tenant or an affiliated
18 individual that the tenant or an affiliated individual is a
19 victim [of domestic or sexual violence];

20 (ii) considers the tenant's certification to be credible;

21 (iii) understands that the verification may be used as the
22 basis for releasing the tenant from a lease; and

23 (iv) understands that the statement may be used in court in
24 proceedings related to this section.

25 (i) If the [domestic or sexual violence] qualifying act of
26 which the tenant or affiliated individual was a victim did not
27 occur on the premises within [ninety (90)] one hundred eighty
28 (180) calendar days of the date of the request for relocation,
29 documentation under this section submitted by a tenant must
30 include a statement that the tenant reasonably believes the

1 tenant or an affiliated individual is threatened with imminent
2 harm from further [domestic or sexual] violence if not relocated
3 from the current dwelling unit.

4 * * *

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

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

10 "Attesting third party." Any of the following:

11 (1) A law enforcement official.

12 (2) A licensed health care professional.

13 (3) A victim advocate [as defined by 34 U.S.C. § 12291(a)
14 (41) (relating to definitions and grant provisions)].

15 (4) A victim assistant as defined by 34 U.S.C. § 12291(a)
16 (42).

17 (5) A victim service provider [as defined by 34 U.S.C. §
18 12291(a) (43) or a provider of victim services as defined by 34
19 U.S.C. § 12291(a) (44)].

20 (6) A licensed social worker.

21 "Completed request." A request including or supplemented
22 with information which the authority requires to determine the
23 tenant's eligibility for relocation assistance under this
24 section.

25 "Domestic or sexual violence." Any of the following:

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

28 (i) 18 Pa.C.S. § 2504 (relating to involuntary
29 manslaughter).

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

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

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

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

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

7 (vii) 18 Pa.C.S. § 3124.1 (relating to sexual assault).

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

11 (2) Conduct that constitutes abuse as defined in 23 Pa.C.S.
12 § 6102.

13 (3) Conduct that constitutes sexual violence as defined in
14 42 Pa.C.S. § 62A03 (relating to definitions).

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

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

20 (1) associated with the structure that are excluded from the
21 dwelling unit, including the fixtures, facilities and
22 appurtenances; and

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

25 "Victim." Any of the following:

26 (1) An individual against whom an act of domestic violence,
27 sexual violence or stalking was committed or attempted.

28 (2) An individual against whom a crime as defined in section
29 103 of the act of November 24, 1998 (P.L.882, No.111), known as
30 the Crime Victims Act, was committed or attempted, if the crime

1 directly resulted in the individual's physical injury, directly
2 resulted in the individual's mental injury where there was a
3 reasonably perceived or actual threat of physical injury or
4 directly resulted in the individual's death, and regardless of
5 whether a responsible party was arrested or adjudicated for the
6 commission of the crime.

7 (3) An individual who is an intervenor, as defined in
8 section 103 of the Crime Victims Act, in an act or crime
9 described in paragraphs (1) or (2).

10 (4) An individual who was physically present at the scene of
11 an act or crime described in paragraphs (1) or (2) and witnessed
12 the act or crime, and who as a direct result:

13 (i) suffers physical or mental injury; or

14 (ii) reasonably believes that the individual is under threat
15 of physical harm.

16 "Victim advocate." An individual, whether paid or serving as
17 a volunteer, who provides services to victims under the auspices
18 or supervision of a victim service provider or a court or a law
19 enforcement or prosecution agency.

20 "Victim service provider." An agency or organization
21 providing services to victims. The term includes a rape crisis
22 center, domestic violence shelter, faith-based organization or
23 agency or organization with a documented history of providing
24 services to victims.

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