

117TH CONGRESS
2D SESSION

S. 4028

To require certain public housing agencies to absorb port-in housing choice vouchers, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 7, 2022

Ms. ERNST (for herself and Mr. GRASSLEY) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To require certain public housing agencies to absorb port-in housing choice vouchers, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. REQUIRING CERTAIN PUBLIC HOUSING AGEN-**
4 **CIES TO ABSORB PORT-IN VOUCHERS AND**
5 **LIMITING BILLING INITIAL PUBLIC HOUSING**
6 **AGENCIES BEYOND 12 MONTHS.**

7 (a) IN GENERAL.—Section 8(o) of the United States
8 Housing Act of 1937 (42 U.S.C. 1437f(o)) is amended
9 by adding at the end the following:

10 “(21) PORTABILITY OF VOUCHERS.—

1 “(A) DEFINITIONS.—In this paragraph—

2 “(i) the term ‘covered public housing
3 agency’ means a public housing agency
4 that, in a given fiscal year, utilizes less
5 than 95 percent of the budget authority
6 available to the public housing agency;

7 “(ii) the term ‘initial public housing
8 agency’ has the meaning given the term
9 ‘initial PHA’ in section 982.4 of title 24,
10 Code of Federal Regulations, or any suc-
11 cessor regulation; and

12 “(iii) the term ‘portable family’ means
13 a family holding a voucher under this sub-
14 section that seeks to rent a dwelling unit
15 outside of the jurisdiction of the initial
16 public housing agency.

17 “(B) REQUIREMENT.—A covered public
18 housing agency that has jurisdiction over the
19 area in which a portable family is seeking to
20 use the voucher received from an initial public
21 housing agency—

22 “(i) shall notify the initial public
23 housing agency whether the covered public
24 housing agency will—

1 “(I) absorb the voucher by using
 2 funds of the covered public housing
 3 agency; or

4 “(II) bill the initial public hous-
 5 ing agency for a period of not more
 6 than 12 months;

7 “(ii) shall make assistance payments
 8 to the portable family under an annual
 9 contributions contract entered into between
 10 the covered public housing agency and the
 11 Secretary; and

12 “(iii) may not bill the initial public
 13 housing agency for the assistance pay-
 14 ments described in clause (ii) for a period
 15 of more than 12 months beginning on the
 16 effective date of the initial billing.”.

17 (b) TECHNICAL AMENDMENT.—Effective on Decem-
 18 ber 27, 2022, paragraph (21) of section 8(o) of the United
 19 States Housing Act of 1937 (42 U.S.C. 1437f(o)), as
 20 added by section 101(b)(2)(B) of division Q of the Con-
 21 solidated Appropriations Act, 2021 (Public Law 116–260;
 22 134 Stat. 2462), is redesignated as paragraph (22).

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