

118TH CONGRESS
2D SESSION

S. 4646

To provide grants to State and local governments that enact right to counsel legislation for low-income tenants facing eviction, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 9, 2024

Mr. BOOKER (for himself, Mr. VAN HOLLEN, Mr. WYDEN, Ms. WARREN, and Mr. SANDERS) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To provide grants to State and local governments that enact right to counsel legislation for low-income tenants facing eviction, 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. SHORT TITLE.**

4 This Act may be cited as the “Eviction Right to
5 Counsel Act of 2024”.

6 **SEC. 2. EVICTION RIGHT TO COUNSEL FUND.**

7 (a) DEFINITIONS.—In this section:

8 (1) COVERED INDIVIDUAL.—The term “covered
9 individual” means a tenant with an income that is

1 equal to or less than 200 percent of the Federal pov-
2 erty line.

3 (2) COVERED PROCEEDING.—The term “cov-
4 ered proceeding” means a civil action in a court or
5 administrative forum for—

6 (A) eviction, or an equivalent ejectment,
7 from the primary residence of the tenant; or

8 (B) the termination of a housing subsidy.

9 (3) ELIGIBLE ENTITY.—The term “eligible enti-
10 ty” means a State government, a local government,
11 or an Indian Tribal government.

12 (4) FUND.—The term “Fund” means the Evic-
13 tion Right to Counsel Fund established under sub-
14 section (b).

15 (5) INDIAN TRIBAL GOVERNMENT.—The term
16 “Indian Tribal government” has the meaning given
17 the term “Indian tribal government” in section 102
18 of the Robert T. Stafford Disaster Relief and Emer-
19 gency Assistance Act (42 U.S.C. 5122).

20 (6) RIGHT TO COUNSEL LEGISLATION.—The
21 term “right to counsel legislation” means legislation
22 that specifies that full legal representation shall be
23 provided at no cost to all covered individuals in a
24 covered proceeding.

1 (7) SECRETARY.—The term “Secretary” means
2 the Secretary of Housing and Urban Development.

3 (8) STATE.—The term “State” means each of
4 the 50 States, the District of Columbia, and any ter-
5 ritory or possession of the United States.

6 (b) ESTABLISHMENT OF FUND.—

7 (1) IN GENERAL.—There is established in the
8 Treasury of the United States a fund to be known
9 as the “Eviction Right to Counsel Fund” consisting
10 of the amounts authorized to be appropriated under
11 paragraph (2).

12 (2) DEPOSITS TO THE FUND.—There are au-
13 thorized to be appropriated to the Fund
14 \$100,000,000 for each of fiscal years 2025 through
15 2029 for the cost of making grants under subsection
16 (c).

17 (c) GRANTS.—

18 (1) IN GENERAL.—The Secretary shall establish
19 a program to provide grants to eligible entities that
20 enact right to counsel legislation.

21 (2) APPLICATION.—

22 (A) IN GENERAL.—An eligible entity that
23 desires a grant from the Secretary under this
24 subsection shall submit to the Secretary an ap-
25 plication at such time, in such manner, and ac-

1 accompanied by such information as the Secretary
2 may reasonably require.

3 (B) REQUIREMENT.—An application sub-
4 mitted under subparagraph (A) shall include a
5 certification that the eligible entity has enacted
6 right to counsel legislation.

7 (3) PRIORITY.—In selecting applicants under
8 this section, the Secretary shall prioritize funding
9 for eligible entities that—

10 (A) have enacted laws that—

11 (i) limit the causes for which a land-
12 lord can evict a tenant or refuse to renew
13 the lease of a tenant when the tenant is
14 not at fault or in violation of any law;

15 (ii) require adequate written notice
16 periods of not less than 30 days for ten-
17 ants facing eviction;

18 (iii) establish eviction diversion pro-
19 grams; or

20 (iv) provide emergency rental assist-
21 ance to tenants; or

22 (B) will prioritize using grant funds for
23 the training and recruitment of attorneys to
24 provide representation for covered individuals in
25 a covered proceeding.

1 (4) USE OF FUNDS.—A recipient of a grant
2 under this section may use the grant funds for the
3 costs incurred by right to counsel legislation, includ-
4 ing providing training resources for attorneys rep-
5 resenting covered individuals in covered proceedings.

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