To require owners of covered federally assisted rental dwelling units to install temperature sensors in such units, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 28, 2022

Mr. TORRES of New York introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To require owners of covered federally assisted rental dwelling units to install temperature sensors in such units, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Housing Temperature Safety Act of 2022”.

SEC. 2. TEMPERATURE SENSORS.

(a) INSTALLATION AND MAINTENANCE.—

(1) IN GENERAL.—Each owner of a covered federally assisted rental dwelling unit shall, not later than 1 year after the date of the enactment of this
Act, ensure that, at all times pursuant to paragraph (2), such temperature sensors are installed and maintained in accordance with the rule issued by the Secretary under paragraph (3) on each level of such dwelling unit owned by such owner.

(2) Rulemaking.—The Secretary shall, not later than 180 days after the date of the enactment of this Act, issue a rule that establishes standards and requirements for the installation and maintenance of temperature sensors in covered federally assisted rental dwelling units.

(b) Data Reporting.—

(1) In general.—Each owner of a covered federally assisted rental dwelling unit shall, 6 times each day, collect data from temperature sensors installed pursuant to subsection (a) and such data shall include the temperature recorded during each temperature reading and the time and date of each temperature reading.

(2) Guidance.—The Secretary shall, not later than 180 days after the date of the enactment of this Act, publish guidance with respect to—

(A) the collection of temperature sensor data by owners of covered federally assisted
rental dwelling units, including the protection of personally identifiable information;

(B) the retention of such data by such owners for not less than 2 years; and

(C) the reporting of such data to the Secretary unless a tenant of the covered federally assisted dwelling unit has opted out of having such data reported by the owner to the Secretary.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, and each year thereafter, the Secretary shall submit a report to the Congress that—

(1) describes the status of the implementation of subsection (a), and includes—

(A) the percentage of covered federally assisted dwelling units without a temperature sensor pursuant to subsection (b); 

(B) the percentage of temperature sensors that have been installed by owners of covered federally assisted dwelling units; and 

(C) the number of fatalities that occurred due to fire, hypothermia, heat exhaustion, and other temperature-related causes in covered dwelling units and whether a temperature sensor was present in such dwelling unit; and
(2) discloses the results of data collection instituted by the Secretary of Housing and Urban Development before the date of the enactment of this Act to determine the prevalence of temperature sensors in covered federally assisted dwelling units.

(d) Relation to State Law.—This section does not annul, alter, or affect, or exempt any person subject to the provisions of this section from complying with, the laws of any State with respect to installing or maintaining temperature sensors, except to the extent that those laws are inconsistent with any provision of this section, and then only to the extent of the inconsistency. The Secretary is authorized to determine whether such inconsistencies exist and may not determine that any State law is inconsistent with any provision of this section if the Secretary determines that such law provides for greater protection or safety.

(e) Definitions.—For the purposes of this Act:

(1) Assistance.—The term “assistance” means any grant, loan, subsidy, contract, cooperative agreement, or other form of financial assistance, but such term does not include the insurance or guarantee of a loan, mortgage, or pool of loans or mortgages.
(2) TEMPERATURE SENSOR.—The term “temperature sensor” means an internet capable temperature reporting device able to track the ambient air temperature to the tenth degree Fahrenheit and Celsius.

(3) COVERED FEDERALLY ASSISTED HOUSING.—The term “covered federally assisted rental dwelling unit” means a residential dwelling unit that is made available for rental and for which assistance is provided, or that is part of a housing project for which assistance is provided, under—

(A) the public housing program under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.);

(B) the programs for rental assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), including—

   (i) the program for project-based rental assistance; and

   (ii) the program for tenant-based rental assistance;

(C) the AIDS Housing Opportunities program under subtitle D of title VIII of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12901 et seq.);
(D) the program for supportive housing for
the elderly under section 202 of the Housing
Act of 1959 (12 U.S.C. 1701q); or

(E) the program for supportive housing for
persons with disabilities under section 811 of
the Cranston-Gonzalez National Affordable
Housing Act (42 U.S.C. 8013); and

(F) the programs under sections 514, 515,
and 516 of the Housing Act of 1949.

(4) OWNER.—The term “owner” means, with
respect to a covered federally assisted rental dwelling
unit, any private person or entity, including a coop-
erative, an agency of the Federal Government, or a
public housing agency, having the legal right to lease
or sublease dwelling units.

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

(f) AUTHORIZATION OF APPROPRIATIONS.—There is
authorized to be appropriated such sums as are necessary
to carry out this Act.