

117TH CONGRESS  
2D SESSION

# S. 3561

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

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 2, 2022

Mrs. GILLIBRAND introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

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## A BILL

To require owners of covered federally assisted rental dwelling units to install temperature sensors in such units, 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 “Housing Temperature  
5 Safety Act of 2022”.

6 **SEC. 2. TEMPERATURE SENSORS.**

7 (a) DEFINITIONS.—In this Act:

8 (1) ASSISTANCE.—The term “assistance”—

1 (A) means any grant, loan, subsidy, con-  
2 tract, cooperative agreement, or other form of  
3 financial assistance; and

4 (B) does not include the insurance or guar-  
5 antee of a loan, mortgage, or pool of loans or  
6 mortgages.

7 (2) COVERED FEDERALLY ASSISTED RENTAL  
8 DWELLING UNIT.—The term “covered federally as-  
9 sisted rental dwelling unit” means a residential  
10 dwelling unit that is made available for rental and  
11 for which assistance is provided, or that is part of  
12 a housing project for which assistance is provided,  
13 under—

14 (A) the public housing program under the  
15 United States Housing Act of 1937 (42 U.S.C.  
16 1437 et seq.);

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

20 (i) the program for project-based rent-  
21 al assistance; and

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

24 (C) the AIDS Housing Opportunities pro-  
25 gram under subtitle D of title VIII of the Cran-

1           ston-Gonzalez National Affordable Housing Act  
2           (42 U.S.C. 12901 et seq.);

3           (D) the program for supportive housing for  
4           the elderly under section 202 of the Housing  
5           Act of 1959 (12 U.S.C. 1701q);

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

10          (F) the programs under sections 514, 515,  
11          and 516 of the Housing Act of 1949 (42 U.S.C.  
12          1484, 1485, 1486).

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

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

21          (5) TEMPERATURE SENSOR.—The term “tem-  
22          perature sensor” means an internet capable tem-  
23          perature reporting device able to track the ambient  
24          air temperature to the tenth degree Fahrenheit and  
25          Celsius.

1 (b) INSTALLATION AND MAINTENANCE.—

2 (1) IN GENERAL.—Not later than 1 year after  
3 the date of enactment of this Act, each owner of a  
4 covered federally assisted rental dwelling unit shall  
5 ensure that each temperature sensor in the covered  
6 federally assisted rental dwelling unit is installed  
7 and maintained in accordance with the rule issued  
8 by the Secretary under paragraph (2) on each level  
9 of the covered federally assisted rental dwelling unit.

10 (2) RULEMAKING.—Not later than 180 days  
11 after the date of enactment of this Act, the Sec-  
12 retary shall issue a rule that establishes standards  
13 and requirements for the installation and mainte-  
14 nance of temperature sensors in covered federally as-  
15 sisted rental dwelling units.

16 (c) DATA REPORTING.—

17 (1) IN GENERAL.—Each owner of a covered  
18 federally assisted rental dwelling unit shall, 6 times  
19 each day, collect data from temperature sensors in-  
20 stalled pursuant to subsection (b), which shall in-  
21 clude—

22 (A) the temperature recorded during each  
23 temperature reading; and

24 (B) the time and date of each temperature  
25 reading.

1           (2) GUIDANCE.—Not later than 180 days after  
2 the date of the enactment of this Act, the Secretary  
3 shall publish guidance with respect to—

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

8           (B) the retention of the data described in  
9 subparagraph (A) by owners of covered feder-  
10 ally assisted rental dwelling units for not less  
11 than 2 years; and

12           (C) the reporting of the data described in  
13 subparagraph (A) to the Secretary unless a ten-  
14 ant of the covered federally assisted dwelling  
15 unit has opted out of having that data reported  
16 by the owner to the Secretary.

17       (d) REPORT.—Not later than 1 year after the date  
18 of the enactment of this Act, and each year thereafter,  
19 the Secretary shall submit to Congress a report that—

20           (1) describes the status of the implementation  
21 of subsection (b), and includes—

22           (A) the percentage of covered federally as-  
23 sisted dwelling units without a temperature sen-  
24 sor pursuant to subsection (b);

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

4 (C) the number of fatalities that occurred  
5 due to fire, hypothermia, heat exhaustion, and  
6 other temperature-related causes in covered fed-  
7 erally assisted dwelling units and whether a  
8 temperature sensor was present in the dwelling  
9 unit; and

10 (2) discloses the results of data collection insti-  
11 tuted by the Secretary before the date of enactment  
12 of this Act to determine the prevalence of tempera-  
13 ture sensors in covered federally assisted dwelling  
14 units.

15 (e) RELATION TO STATE LAW.—

16 (1) RULE OF CONSTRUCTION.—Nothing in this  
17 section shall be construed to annul, alter, or affect,  
18 or exempt any person subject to the provisions of  
19 this section from complying with, the laws of any  
20 State with respect to installing or maintaining tem-  
21 perature sensors, except to the extent that those  
22 laws are inconsistent with any provision of this sec-  
23 tion, and then only to the extent of the inconsist-  
24 ency.

1           (2) DETERMINATION OF INCONSISTENCIES.—

2           The Secretary is authorized to determine whether  
3           the inconsistencies described in paragraph (1) exist  
4           and may not determine that any State law is incon-  
5           sistent with any provision of this section if the Sec-  
6           retary determines that the State law provides for  
7           greater protection or safety.

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

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