

108TH CONGRESS  
1ST SESSION

# H. R. 1429

To protect tenants in public housing and housing assisted under the rental assistance program under section 8 of the United States Housing Act of 1937 who are victims from eviction by reason of criminal activity.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 25, 2003

Ms. LEE (for herself, Ms. JACKSON-LEE of Texas, Ms. SCHAKOWSKY, Mr. GEORGE MILLER of California, Ms. KILPATRICK, Mr. SANDERS, Ms. CORRINE BROWN of Florida, and Ms. EDDIE BERNICE JOHNSON of Texas) introduced the following bill; which was referred to the Committee on Financial Services

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## A BILL

To protect tenants in public housing and housing assisted under the rental assistance program under section 8 of the United States Housing Act of 1937 who are victims from eviction by reason of criminal activity.

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 “One Strike and You’re  
5 Out! Act of 2003”.

1 **SEC. 2. PUBLIC HOUSING TENANTS.**

2 Paragraph (6) of section 6(l) of the United States  
3 Housing Act of 1937 (42 U.S.C. 1437d(l)(6)) is amended  
4 by inserting before the semicolon at the end the following:  
5 “; except that such criminal activity, engaged in by a  
6 member of a tenant’s household or any guest or other per-  
7 son under the tenant’s control, shall not be cause for ter-  
8 mination of tenancy of the tenant if the tenant or imme-  
9 diate member of the tenant’s family is a victim of domestic  
10 violence or dating violence and, as a result, could not con-  
11 trol or prevent the criminal activity relating to domestic  
12 violence or dating violence; and except that nothing in this  
13 paragraph may be construed to limit the authority of a  
14 public housing agency to evict individuals who engage in  
15 criminal acts of physical violence against family members  
16 or others, and in all cases, a public housing agency shall  
17 consider the safety, security, and continued maintenance  
18 of victims of domestic violence to be of paramount impor-  
19 tance”.

20 **SEC. 3. TENANTS OF HOUSING ASSISTED UNDER SECTION 8**  
21 **PROGRAM.**

22 Clause (iii) of section 8(d)(1)(B) of the United States  
23 Housing Act of 1937 (42 U.S.C. 1437f(d)(1)(B)(iii)) is  
24 amended by inserting before the semicolon at the end the  
25 following: “; except that such criminal activity, engaged  
26 in by a member of a tenant’s household or any guest or

1 other person under the tenant’s control, shall not be cause  
 2 for termination of tenancy of the tenant if the tenant or  
 3 immediate member of the tenant’s family is a victim of  
 4 domestic violence or dating violence and, as a result, could  
 5 not control or prevent the criminal activity relating to do-  
 6 mestic violence or dating violence; and except that nothing  
 7 in this clause may be construed to limit the authority of  
 8 a public housing agency to evict individuals who engage  
 9 in criminal acts of physical violence against family mem-  
 10 bers or others, and in all cases, a public housing agency  
 11 shall consider the safety, security, and continued mainte-  
 12 nance of victims of domestic violence to be of paramount  
 13 importance”.

14 **SEC. 4. REPORTING BY PHAS ON EVICTIONS FOR DOMES-**  
 15 **TIC AND DATING VIOLENCE.**

16 Section 6 of the United States Housing Act of 1937  
 17 (42 U.S.C. 1437d) is amended by inserting after sub-  
 18 section (o) the following new subsection:

19 “(p) **REPORTS ON EVICTIONS FOR DOMESTIC AND**  
 20 **DATING VIOLENCE.**—Each public housing agency shall  
 21 submit a report annually to the Secretary on the number  
 22 of persons whose tenancy in public housing of the agency  
 23 was terminated, and the number whose tenancy in housing  
 24 assisted by the agency with amounts made available under

- 1 section 8 was terminated, because of criminal activity re-
- 2 lating to domestic violence or dating violence.”.

