
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2148 Session of
2024

INTRODUCED BY MADSEN, KINSEY, T. DAVIS, SANCHEZ, HOHENSTEIN,
MALAGARI, HILL-EVANS, BOYD, KRAJEWSKI, DALEY, GREEN, CERRATO,
DELLOSO, KINKEAD, ROZZI, KENYATTA, SMITH-WADE-EL, SCOTT AND
KAZEEM, MARCH 25, 2024

REFERRED TO COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT,
MARCH 25, 2024

AN ACT

1 Amending the act of October 27, 1955 (P.L.744, No.222), entitled
2 "An act prohibiting certain practices of discrimination
3 because of race, color, religious creed, ancestry, age or
4 national origin by employers, employment agencies, labor
5 organizations and others as herein defined; creating the
6 Pennsylvania Human Relations Commission in the Governor's
7 Office; defining its functions, powers and duties; providing
8 for procedure and enforcement; providing for formulation of
9 an educational program to prevent prejudice; providing for
10 judicial review and enforcement and imposing penalties,"
11 providing for right to provide verifiable alternative
12 evidence of ability to pay and further providing for
13 definitions and for unlawful discriminatory practices.

14 The General Assembly of the Commonwealth of Pennsylvania
15 hereby enacts as follows:

16 Section 1. The act of October 27, 1955 (P.L.744, No.222),
17 known as the Pennsylvania Human Relations Act, is amended by
18 adding a section to read:

19 Section 3.1. Right to provide verifiable alternative
20 evidence of ability to pay.--The following apply:

21 (1) If the applicant elects to provide lawful, verifiable
22 alternative evidence of the applicant's reasonable ability to

1 pay, the landlord must:

2 (i) Provide the applicant 10 business days to respond with
3 the alternative evidence.

4 (ii) Reasonably consider the alternative evidence in lieu of
5 the person's credit history in determining whether to offer the
6 rental housing to the applicant.

7 (2) The ability of a landlord to request information or
8 documentation to verify employment, request landlord references
9 or verify the identity of an applicant is not limited by this
10 section.

11 Section 3. Section 4 of the act is amended by adding a
12 definition to read:

13 * * *

14 (bb) The term "alternative evidence" means bank statements,
15 proof of income, pay stubs or other documents that provide
16 evidence of the applicant's ability to pay the applicant's
17 portion of the rent.

18 Section 3. Section 5 of the act is amended by adding a
19 subsection to read:

20 Section 5. Unlawful Discriminatory Practices.--It shall be
21 an unlawful discriminatory practice, unless based upon a bona
22 fide occupational qualification, or in the case of a fraternal
23 corporation or association, unless based upon membership in such
24 association or corporation, or except where based upon
25 applicable security regulations established by the United States
26 or the Commonwealth of Pennsylvania:

27 * * *

28 (m) For any landlord that receives a government rent subsidy
29 to:

30 (1) Use a financial or income standard in assessing

1 eligibility for rental housing that is not based on the portion
2 of the rent to be paid by the tenant.

3 (2) Use a person's credit history as part of the application
4 process for rental housing without offering the applicant the
5 option, at the applicant's discretion, of providing lawful,
6 verifiable alternative evidence of the applicant's reasonable
7 ability to pay the portion of the rent to be paid by the tenant,
8 including government benefit payments, pay records and bank
9 statements as provided under section 3.1.

10 Section 4. This act shall take effect in 60 days.