

118TH CONGRESS
1ST SESSION

S. 1267

To amend the Fair Housing Act to prohibit discrimination based on source of income, veteran status, or military status.

IN THE SENATE OF THE UNITED STATES

APRIL 25, 2023

Mr. KAINE (for himself, Mrs. FEINSTEIN, Mr. PADILLA, Mr. VAN HOLLEN, Ms. CORTEZ MASTO, Mr. BLUMENTHAL, Mr. WELCH, Mrs. GILLIBRAND, Mr. BENNET, Ms. KLOBUCHAR, Ms. SMITH, Mr. SANDERS, and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To amend the Fair Housing Act to prohibit discrimination based on source of income, veteran status, or military status.

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 “Fair Housing Improve-
5 ment Act of 2023”.

1 **SEC. 2. PROHIBITING HOUSING DISCRIMINATION BASED**
2 **ON SOURCE OF INCOME, VETERAN STATUS,**
3 **OR MILITARY STATUS.**

4 (a) IN GENERAL.—The Fair Housing Act (42 U.S.C.
5 3601 et seq.) is amended—

6 (1) in section 802 (42 U.S.C. 3602), by adding
7 at the end the following:

8 “(p) ‘Military status’ means the status of a person
9 as a member of the uniformed services, as defined in sec-
10 tion 101 of title 10, United States Code.

11 “(q) ‘Source of income’ includes—

12 “(1) a housing voucher under section 8 of the
13 United States Housing Act of 1937 (42 U.S.C.
14 1437f) and any form of Federal, State, or local
15 housing assistance provided to a person or family or
16 provided to a housing owner on behalf of a person
17 or family, including—

18 “(A) rental vouchers;

19 “(B) rental assistance;

20 “(C) rental subsidies from nongovern-
21 mental organizations; and

22 “(D) homeownership subsidies;

23 “(2) income received as a monthly benefit
24 under title II of the Social Security Act (42 U.S.C.
25 401 et seq.), as a supplemental security income ben-
26 efit under title XVI of the Social Security Act (42

1 U.S.C. 1381 et seq.), or as a benefit under the Rail-
2 road Retirement Act of 1974 (45 U.S.C. 231 et
3 seq.), including any such benefit to which the indi-
4 vidual is entitled for which payment is made to a
5 representative payee;

6 “(3) income received by court order, including
7 spousal support and child support;

8 “(4) any payment from a trust, guardian, con-
9 servator, cosigner, or relative; and

10 “(5) any other lawful source of income or
11 funds, including savings accounts and investments.

12 “(r) ‘Veteran status’ means the status of a person
13 as a former member of the Armed Forces.”;

14 (2) in section 804 (42 U.S.C. 3604)—

15 (A) by inserting “source of income, veteran
16 status, military status,” after “familial status,”
17 each place that term appears; and

18 (B) in subsection (f), by adding at the end
19 the following:

20 “(10) Nothing in this title shall be construed to pro-
21 hibit any entity from providing or otherwise making avail-
22 able any services or other assistance to individuals receiv-
23 ing Federal, State or local housing assistance.”;

24 (3) in section 805 (42 U.S.C. 3605)—

1 (A) in subsection (a), by inserting “source
2 of income, veteran status, military status,”
3 after “familial status,”; and

4 (B) in subsection (c), by inserting “source
5 of income, veteran status, military status,”
6 after “handicap,”;

7 (4) in section 806 (42 U.S.C. 3606), by insert-
8 ing “source of income, veteran status, military sta-
9 tus,” after “familial status,”;

10 (5) in section 808(e)(6) (42 U.S.C. 3608(e)(6)),
11 by inserting “source of income, veteran status, mili-
12 tary status,” after “handicap,”; and

13 (6) in section 810(f) (42 U.S.C. 3610(f)), by
14 striking paragraph (4) and inserting the following:

15 “(4) During the period beginning on the date of en-
16 actment of the Fair Housing Improvement Act of 2023
17 and ending on the date that is 40 months after such date
18 of enactment, each agency certified for purposes of this
19 title on the day before such date of enactment shall, for
20 purposes of this subsection, be considered certified under
21 this subsection with respect to those matters for which the
22 agency was certified on that date. If the Secretary deter-
23 mines in an individual case that an agency has not been
24 able to meet the certification requirements within this 40-
25 month period due to exceptional circumstances, such as

1 the infrequency of legislative sessions in that jurisdiction,
2 the Secretary may extend such period by not more than
3 6 months.”.

4 (b) PREVENTION OF INTIMIDATION IN FAIR HOUS-
5 ING CASES.—Section 901 of the Civil Rights Act of 1968
6 (42 U.S.C. 3631) is amended by inserting “source of in-
7 come (as defined in section 802), veteran status (as de-
8 fined in section 802), military status (as defined in section
9 802),” before “or national origin” each place that term
10 appears.

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