

116TH CONGRESS  
2D SESSION

# H. R. 8404

To require sales and leases of assets of public housing projects in connection with solar energy projects to financially benefit the residents of such public housing project and the budget of the public housing agency that owns such public housing project, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 25, 2020

Mrs. CAROLYN B. MALONEY of New York introduced the following bill; which was referred to the Committee on Financial Services

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## A BILL

To require sales and leases of assets of public housing projects in connection with solar energy projects to financially benefit the residents of such public housing project and the budget of the public housing agency that owns such public housing project, 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 “Public Housing Solar  
5 Equity Act of 2020”.

1 **SEC. 2. PUBLIC HOUSING AGENCY SALES OR LEASES OF**  
2 **PHA ASSETS IN CONNECTION WITH SOLAR**  
3 **ENERGY PROJECTS.**

4 (a) IN GENERAL.—Section 9 of the United States  
5 Housing Act of 1937 (42 U.S.C. 1437g) is amended by  
6 adding at the end the following:

7 “(p) SALE OR LEASE OF ASSETS.—If a public hous-  
8 ing agency sells or leases any asset (including roof space  
9 or parking) of a public housing project owned by such pub-  
10 lic housing agency in connection with a solar energy  
11 project, such public housing agency shall—

12 “(1) ensure that such sale or lease financially  
13 benefits, as determined by a cost-benefit analysis  
14 that is conducted using generally accepted account-  
15 ing standards and is made publicly available—

16 “(A) the residents of such public housing  
17 project; and

18 “(B) the budget of the public housing  
19 agency;

20 “(2) if the buyer or lessee of such asset intends  
21 to derive a product or services from such asset, re-  
22 quire the buyer or lessee of such asset to first offer  
23 such product or service derived from such asset to  
24 the residents of the public housing project, and pro-  
25 vide the product or services to those residents who

1 accept the offer before offering the product or serv-  
2 ice to non-residents;

3 “(3) make available publicly, not later than 30  
4 days before such sale or lease, information sufficient  
5 to demonstrate compliance with paragraphs (1) and  
6 (2) of this subsection; and

7 “(4) not later than 1 year after the sale or  
8 lease, submit to the Secretary a report that de-  
9 scribes how the sale or lease complies with this sub-  
10 section.”.

11 (b) PHA ANNUAL PLAN.—Section 5A(d) of the  
12 United States Housing Act of 1937 (42 U.S.C. 1437c-  
13 1(d)) is amended—

14 (1) by redesignating paragraph (19) as para-  
15 graph (20); and

16 (2) by inserting after paragraph (18) the fol-  
17 lowing:

18 “(19) SALE OR LEASE OF ASSETS.—With re-  
19 gard to any assets of any public housing project  
20 owned by the public housing agency that the public  
21 housing agency intends to sell or lease in connection  
22 with a solar energy project in the upcoming year—

23 “(A) a description of the asset;

24 “(B) a description of the proposed terms  
25 of the sale or lease, if possible; and

1           “(C) a description of how the lease or sale  
2           will comply with section 9(p), including how  
3           such sale or lease financially benefits, as deter-  
4           mined by a cost-benefit analysis that is con-  
5           ducted using generally accepted accounting  
6           standards, the residents of the public housing  
7           project and the budget of the public housing  
8           agency.”.

9           (c) RULE OF CONSTRUCTION.—This section and the  
10          amendments made by this section may not be construed  
11          to authorize or encourage the sale or lease of any public  
12          housing asset.

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