

114TH CONGRESS  
2D SESSION

# H. R. 6070

To amend the Fair Housing Act to better protect persons with disabilities  
and communities.

---

## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 20, 2016

Mr. ISSA (for himself, Mr. ROHRABACHER, Mr. CALVERT, and Mrs. MIMI WALTERS of California) introduced the following bill; which was referred to the Committee on the Judiciary

---

## A BILL

To amend the Fair Housing Act to better protect persons  
with disabilities and communities.

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 “Safe Recovery and  
5 Community Empowerment Act”.

6 **SEC. 2. ZONING AND LICENSING OF RESIDENTIAL RECOV-**  
7 **ERY FACILITIES.**

8 The Fair Housing Act (42 U.S.C. 3601 et seq.) is  
9 amended by inserting after section 807 (42 U.S.C. 3607)  
10 the following:

1       “SEC. 807A. Nothing in this title, or other Federal  
2 law, relating to protections for persons with disabilities,  
3 prohibits any local, State, or Federal government body  
4 from—

5           “(1) limiting by law, regulation, or ordinance  
6 the number of residential recovery facilities within a  
7 particular area zoned for residential housing, pro-  
8 vided that the limitation—

9           “(A) is necessary to preserve the residen-  
10 tial character of the zoned area;

11           “(B) allows for a reasonable number of  
12 residential recovery facilities to be located with-  
13 in the zoned area; and

14           “(C) does not place an overall cap on the  
15 number of residential recovery facilities located  
16 within a municipality or State; and

17           “(2) requiring that a residential recovery facil-  
18 ity and its owner or operator—

19           “(A) obtain an operating license or use  
20 permit; or

21           “(B) satisfies a set of consumer protection  
22 standards.”.

1 **SEC. 3. RESIDENTIAL RECOVERY FACILITY RESIDENTS'**  
2 **BILL OF RIGHTS.**

3 Residential recovery facilities receiving direct or indi-  
4 rect payments or reimbursements or other remunerations  
5 from Medicare, Medicaid, or any other Federal healthcare  
6 program, or via private insurance purchased on a Federal  
7 exchange or subsidized by the Federal Government, for ei-  
8 ther housing, recovery services, or testing or monitoring  
9 for drugs or alcohol, shall ensure the following:

10 (1) Each residential recovery facility resident  
11 residing in the home or receiving addiction treat-  
12 ment services be provided a safe living environment  
13 completely free from illicit drugs, alcohol, firearms,  
14 harassment, abuse, or harm.

15 (2) Residential recovery facility residents live in  
16 a licensed, or registered residence that has com-  
17 mitted to following standards approved by States  
18 and localities, if such standards are in place.

19 **SEC. 4. DEFINITIONS.**

20 Section 802 of the Fair Housing Act (42 U.S.C.  
21 3602) is amended by adding to the end the following:

22 “(p) ‘Current, illegal use of a controlled substance’  
23 means the discrete, occasional, frequent, or ongoing illegal  
24 use of a controlled substance at the present time or in  
25 the reasonably recent past.

1       “(q) ‘Residential recovery facility’ means a residence  
2 that provides housing to individuals in recovery from drug  
3 or alcohol addiction with the promise of providing a clean  
4 and sober environment in return for direct or indirect pay-  
5 ment to an owner, operator, or compensated staff person,  
6 including payment to a third party, a portion of which is  
7 then provided to the residential recovery facility owner or  
8 operator for their services.”.

○