

115TH CONGRESS
1ST SESSION

H. R. 472

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

IN THE HOUSE OF REPRESENTATIVES

JANUARY 12, 2017

Mr. ISSA (for himself, Mr. MOULTON, Mrs. MIMI WALTERS of California, Mr. CALVERT, Mr. HUNTER, Mr. ROYCE of California, and Mr. ROHR-ABACHER) 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”.

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

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

6 “SEC. 807A. Nothing in this title, or other Federal
7 law, relating to protections for persons with disabilities,
8 prohibits any local, State, or Federal government body
9 from—

10 “(1) requiring by law, regulation, or ordinance
11 a reasonable minimum distance between residential
12 recovery facilities within a particular area zoned for
13 residential housing, provided that the limitation—

14 “(A) is necessary to preserve the residen-
15 tial character of the zoned area; and

16 “(B) allows for some residential recovery
17 facilities to be located within the zoned area;
18 and

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

21 “(A) obtain an operating license or use
22 permit; or

23 “(B) satisfy a set of consumer protection
24 standards, which may include a maximum ca-
25 pacity requirement.”.

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.”.

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