

118TH CONGRESS
1ST SESSION

H. R. 6108

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide assistance for common interest communities, condominiums, and housing cooperatives damaged by a major disaster, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 26, 2023

Mr. STEUBE introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide assistance for common interest communities, condominiums, and housing cooperatives damaged by a major disaster, 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 “Clean Up Disasters
5 and Emergencies with Better Recovery and Immediate
6 Support Act” or the “Clean Up DEBRIS Act”.

1 **SEC. 2. DEFINITIONS.**

2 Section 102 of the Robert T. Stafford Disaster Relief
3 and Emergency Assistance Act (42 U.S.C. 5122) is
4 amended by adding at the end the following:

5 “(13) RESIDENTIAL COMMON INTEREST COM-
6 MUNITY.—The term ‘residential common interest
7 community’ means any mandatory membership orga-
8 nization comprising owners of real estate described
9 in a declaration or created pursuant to a covenant
10 or other applicable law with respect to which a per-
11 son, by virtue of the person’s ownership of a unit,
12 is obligated to pay for a share of real estate taxes,
13 insurance premiums, maintenance, or improvement
14 of, or services or other expenses related to, common
15 elements, other units, or any other real estate other
16 than that unit described in the declaration.

17 “(14) CONDOMINIUM.—The term ‘condo-
18 minium’ means a stand-alone condominium project
19 in which each dwelling unit is separately owned, in
20 which the remaining portions of the real estate are
21 designated for common ownership solely by the own-
22 ers of the related units, each owner having an undi-
23 vided interest in the common elements, and which is
24 represented by an association consisting exclusively
25 of all the unit owners in the project, which is, or will

1 be responsible for the operation, administration, and
2 management of the project.

3 “(15) HOUSING COOPERATIVE.—The term
4 ‘housing cooperative’ means a multi-unit housing en-
5 tity, including an association of manufactured
6 homes, in which each dwelling unit is subject to sep-
7 arate use and possession by 1 or more cooperative
8 members whose interest in such unit, and in any un-
9 divided assets of the cooperative association that are
10 appurtenant to such unit, is evidenced by a member-
11 ship or share interest in a cooperative association
12 and a lease or other document of title or possession
13 granted by such cooperative as the owner of all coop-
14 erative property.”.

15 **SEC. 3. REMOVAL OF DEBRIS RESULTING FROM A MAJOR**
16 **DISASTER IN RESIDENTIAL COMMON INTER-**
17 **EST COMMUNITIES.**

18 Section 407 of the Robert T. Stafford Disaster Relief
19 and Emergency Assistance Act (42 U.S.C. 5173) is
20 amended—

21 (1) by redesignating subsections (d) and (e) as
22 subsections (e) and (f); and

23 (2) by inserting after subsection (c) the fol-
24 lowing:

1 “(d) RULES RELATING TO RESIDENTIAL COMMON
2 INTEREST COMMUNITIES.—

3 “(1) ISSUANCE OF RULES.—The President shall
4 issue rules which provide that removal of debris or
5 wreckage from a unit of real estate within a residen-
6 tial common interest community, condominium enti-
7 ty, or an entity of a housing cooperative from a
8 major disaster is in the public interest when a State
9 or local government determines in writing such de-
10bris or wreckage constitutes a threat to life, to pub-
11lic health or safety, or to the economic recovery of
12the residential common interest community.

13 “(2) DEFERENCE.—In issuing the rules under
14 paragraph (1), the President shall be deferential to
15 defined terms in State or local laws and ordi-
16 nances.”.

17 **SEC. 4. CONDOMINIUMS AND HOUSING COOPERATIVES**
18 **DAMAGED BY A MAJOR DISASTER.**

19 Section 408(c)(2)(A) of the Robert T. Stafford Dis-
20 aster Relief and Emergency Assistance Act (42 U.S.C.
21 5174(c)(2)(A)) is amended—

22 (1) in clause (i) by striking “and” at the end;

23 (2) by redesignating clause (ii) as clause (iii);

24 and

25 (3) by adding after clause (i) the following:

1 “(ii) the repair of essential common
2 elements of a condominium or housing co-
3 operative (such as a roof, exterior wall,
4 heating and cooling equipment, elevator,
5 stairwell, utility access, plumbing, and elec-
6 tricity) provided an individual’s or house-
7 hold’s pro rata share of essential common
8 element repair costs are satisfactorily doc-
9 umented; and”.

10 **SEC. 5. APPLICABILITY.**

11 The amendments made by this Act shall apply to a
12 major disaster or emergency declared by the President
13 under the Robert T. Stafford Disaster Relief and Emer-
14 gency Assistance Act (42 U.S.C. 5121 et seq.) on or after
15 the date of enactment of this Act.

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