

118TH CONGRESS
2D SESSION

H. R. 10523

To establish and carry out a Federal Wildfire Relief Fund.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 19, 2024

Mr. CURTIS introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish and carry out a Federal Wildfire Relief Fund.

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 “Federal Wildfire Relief
5 Act of 2024.”

6 **SEC. 2. DECLARATION.**

7 The President, acting through the Administration of
8 the Federal Emergency Management Agency, shall be re-
9 quired to declare a wildfire as a catastrophic wildfire, for
10 relief to be available under this Act.

1 **SEC. 3. ESTABLISHMENT OF THE FEDERAL WILDFIRE RE-**
2 **LIEF FUND.**

3 (a) IN GENERAL.—The Administrator of the Federal
4 Emergency Management Agency shall establish and carry
5 out a Federal Wildfire Relief Fund, under which the Ad-
6 ministrator shall ensure—

7 (1) The adjudication of claims for compensation
8 for damage by a qualifying wildfire under sub-
9 sections (d), (e), and (f);

10 (2) Compensation is provided in accordance
11 with subsections (d), (e), and (f); and

12 (3) Review, periodically and after the occur-
13 rence of a catastrophic wildfire, of the compliance of
14 electric utilities (as defined by section 3(4) of the
15 Public Utility Regulatory Policies Act of 1978 (16
16 U.S.C. 2602(4))) seeking to access the Electricity
17 Transmission Liability Shield.

18 (b) CLAIMS FOR QUALIFYING WILDFIRES.—

19 (1) AUTHORITY OF ADMINISTRATOR.—The Ad-
20 ministrator shall, on behalf of the United States, in-
21 vestigate, consider, ascertain, adjust, determine,
22 grant, deny, or settle any claim for money damages
23 asserted by structure owners, insurers, and covered
24 utilities.

25 (2) INDEPENDENT CLAIMS MANAGER.—Upon a
26 determination by the Administrator that a particular

1 wildfire qualifies as a catastrophic wildfire, the Ad-
2 ministrator may appoint an independent claims
3 manager to determine the appropriate compensation
4 for each claim arising from such catastrophic wild-
5 fire and to distribute compensation.

6 (c) COVERED UTILITY COMPLIANCE WITH A FED-
7 ERAL WILDFIRE MITIGATION PLAN OR STATE APPROVED
8 WILDFIRE MITIGATION PLAN.—To qualify for compensa-
9 tion under this Act, the Administrator shall determine
10 whether a claimant meets the following requirements:

11 (1) FEDERAL OR STATE APPROVED WILDFIRE
12 MITIGATION PLANS.—The covered utility for which
13 compensation is being sought was in compliance with
14 State approved wildfire mitigation plans or a Fed-
15 eral wildfire mitigation plan established under sub-
16 section (i).

17 (2) ADEQUATE INSURANCE.—The damaged
18 structure for which compensation is being sought
19 was adequately insured for not less than 50 percent
20 of the value of the structure.

21 (d) COMPENSATION OF STRUCTURE OWNERS.—

22 (1) VERIFICATION PROCESS.—The Adminis-
23 trator shall establish a process for the verification of
24 structure damage, insurance coverage, and other rel-
25 evant information.

1 (2) CLAIM AMOUNT.—The amount of each
2 claim shall not exceed the amount of the total struc-
3 ture, less—

4 (A) the amount awarded to a structure
5 owner for such damages by a State wildfire re-
6 covery fund; and

7 (B) the amount awarded to a structure
8 owner for such damage by a private insurer or
9 covered utility.

10 (3) COMPENSATION LIMITS.—Structure owners
11 shall be compensated up to 25 percent of their unin-
12 sured losses, subject to a 50 percent maximum of
13 their insured losses up to \$1,000,000.

14 (4) DEADLINE FOR COMPENSATION.—Not later
15 that 180 days after the date on which a claim is
16 submitted under this Act, the Administrator shall
17 determine and fix the amount of compensation, if
18 any, to be paid for the claim.

19 (5) ADVANCE PAYMENTS.—At the request of a
20 claimant, the Administrator may make 1 or more
21 advance or partial payments before the final settle-
22 ment of a claim, subject to a preliminary approval
23 and a requirement that repayment shall be required
24 if the claim is rejected.

1 (e) COMPENSATION OF INSURERS.—An insurer of
2 any structure owner receiving compensation under this
3 section may receive compensation of up to 10 percent of
4 the insurer’s losses on insured structures meeting Federal
5 or State approved wildfire mitigation plans under sub-
6 section (c).

7 (f) COMPENSATION OF COVERED UTILITIES.—

8 (1) RECOVERED.—A covered utility servicing
9 any structure receiving compensation under this sec-
10 tion may receive compensation from the Fund of
11 such amount as the Administrator determines for
12 the losses incurred by the covered utility for the pay-
13 ment of structure owner claims.

14 (2) LIMITATION TO CERTAIN CLAIMANTS.—
15 Compensation authorized under this subsection shall
16 not exceed 10 percent of the value of the covered
17 utility’s gross assets.

18 (g) VOLUNTARY PARTICIPATION.—

19 (1) IN GENERAL.—Participation in and receipt
20 of compensation from the Fund shall be voluntary
21 for structure owners and covered utilities.

22 (2) WAIVER OF CLAIMS.—To receive compensa-
23 tion under this section, structure owners or insurers
24 shall be required to waive claims against a covered

1 utility in regards to damages stemming from the
2 unique catastrophic wildfire event.

3 (h) LIMITATION OF LIABILITY.—Subject to compli-
4 ance with Federal and State approved wildfire mitigation
5 plans, liability for damages relating to qualifying cata-
6 strophic wildfires shall be limited for covered utility opera-
7 tors to no greater than 10 percent of the value of the gross
8 assets of the covered utility.

9 (i) WILDFIRE MITIGATION OPERATING PROCE-
10 DURES.—

11 (1) STATE APPROVED OPERATING PLANS.—
12 Covered Utility Wildfire Mitigation and Operating
13 Procedures approved by the state will be the stand-
14 ard in that state for access to the Fund.

15 (A) Covered utilities may submit their ap-
16 proved state plan to the Federal Energy Regu-
17 latory Commission.

18 (B) Covered utilities that have significant
19 or prolonged periods of noncompliance with
20 submitting their state approved wildfire mitiga-
21 tion operating procedure will be ineligible to ac-
22 cess the liability shield.

23 (2) FEDERAL ENERGY REGULATORY COMMIS-
24 SION TECHNICAL CONFERENCE.—

1 (A) The Federal Energy Regulatory Com-
 2 mission shall establish a process by which cov-
 3 ered utilities can get their utility wildfire miti-
 4 gation operation plan approved if their state
 5 does not already have a mitigation plan.

6 (j) FEDERAL JURISDICTION OVER CLAIMS RELATED
 7 TO COMPENSATION FOR QUALIFYING CATASTROPHIC
 8 WILDFIRES.—Claims sought outside of the parameters of
 9 the Fund, such as covered claims available under State
 10 law under which a State court would have jurisdiction
 11 shall be the exclusive jurisdiction of a regionally appro-
 12 priate Federal claims court.

13 **SEC. 4. OTHER FEDERAL WILDFIRE RELIEF FUND LIMITA-**
 14 **TIONS.**

15 (a) EXCLUSION.—The Fund shall not compensate for
 16 claims requesting compensation for personal injuries or
 17 wrongful deaths.

18 (b) HABITABLE DWELLINGS.—The Fund shall com-
 19 pensate only for the loss or damage of physical dwelling
 20 or business structures that were deemed suitable for habi-
 21 tation or use at the time of the fire.

22 (c) NO CAP.—Compensation of damages via the
 23 Fund shall not be subject to a cap for any particular quali-
 24 fying catastrophic wildfire related to repayment of a cov-
 25 ered utility.

1 **SEC. 5. DEFINITIONS.**

2 In this Act:

3 (1) CATASTROPHIC WILDFIRE.—The term “cat-
4 astrophic wildfire” means a wildfire occurring on or
5 after the effective date of this Act that damages or
6 destroys more than 500 residential or commercial
7 structures or causes more than \$50,000,000 in dam-
8 ages, or as otherwise determined by the Adminis-
9 trator.

10 (2) ADMINISTRATOR.—The term “Adminis-
11 trator” means the Administrator of the Federal
12 Emergency Management Agency, or if a manager is
13 appointed, the manager.

14 (3) COVERED UTILITY.—The term “covered
15 utility” means any electric utility or company that
16 otherwise owns, operates, or maintains electric
17 transmission, distribution, generation, or energy
18 storage equipment.

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