

HR 5863

Federal Disaster Tax Relief Act of 2023

Congress: 118 (2023–2025, Ended)

Chamber: House

Policy Area: Taxation

Introduced: Oct 2, 2023

Current Status: Became Public Law No: 118-148.

Latest Action: Became Public Law No: 118-148. (Dec 12, 2024)

Law: 118-148 (Enacted Dec 12, 2024)

Official Text: <https://www.congress.gov/bill/118th-congress/house-bill/5863>

Sponsor

Name: Rep. Steube, W. Gregory [R-FL-17]

Party: Republican • **State:** FL • **Chamber:** House

Cosponsors (35 total)

Cosponsor	Party / State	Role	Date Joined
Rep. LaMalfa, Doug [R-CA-1]	R · CA		Oct 3, 2023
Rep. Thompson, Mike [D-CA-4]	D · CA		Nov 2, 2023
Rep. Diaz-Balart, Mario [R-FL-26]	R · FL		Nov 6, 2023
Rep. Donalds, Byron [R-FL-19]	R · FL		Nov 6, 2023
Rep. Johnson, Bill [R-OH-6]	R · OH		Nov 6, 2023
Rep. Bonamici, Suzanne [D-OR-1]	D · OR		Nov 7, 2023
Rep. Brownley, Julia [D-CA-26]	D · CA		Nov 7, 2023
Rep. Omar, Ilhan [D-MN-5]	D · MN		Nov 7, 2023
Rep. Barr, Andy [R-KY-6]	R · KY		Nov 8, 2023
Rep. Franklin, Scott [R-FL-18]	R · FL		Nov 8, 2023
Rep. Moran, Nathaniel [R-TX-1]	R · TX		Nov 8, 2023
Rep. Newhouse, Dan [R-WA-4]	R · WA		Nov 8, 2023
Rep. Bice, Stephanie L. [R-OK-5]	R · OK		Nov 9, 2023
Rep. Kelly, Mike [R-PA-16]	R · PA		Nov 9, 2023
Rep. Davids, Sharice [D-KS-3]	D · KS		Nov 13, 2023
Rep. Rouzer, David [R-NC-7]	R · NC		Nov 13, 2023
Rep. Tokuda, Jill N. [D-HI-2]	D · HI		Nov 13, 2023
Rep. Waltz, Michael [R-FL-6]	R · FL		Nov 13, 2023
Rep. Bucshon, Larry [R-IN-8]	R · IN		Nov 14, 2023
Rep. Costa, Jim [D-CA-21]	D · CA		Nov 14, 2023
Rep. Harder, Josh [D-CA-9]	D · CA		Nov 14, 2023
Rep. Kiley, Kevin [R-CA-3]	R · CA		Nov 14, 2023
Rep. Caraveo, Yadira [D-CO-8]	D · CO		Nov 21, 2023
Rep. Hagedorn, Harriet M. [R-WY-At Large]	R · WY		Nov 21, 2023
Rep. Neguse, Joe [D-CO-2]	D · CO		Nov 21, 2023
Rep. Case, Ed [D-HI-1]	D · HI		Nov 28, 2023
Rep. Lieu, Ted [D-CA-36]	D · CA		Nov 28, 2023
Rep. Porter, Katie [D-CA-47]	D · CA		Nov 28, 2023
Rep. Armstrong, Kelly [R-ND-At Large]	R · ND		Nov 29, 2023
Rep. Miller, Carol D. [R-WV-1]	R · WV		Nov 29, 2023
Rep. Rutherford, John H. [R-FL-5]	R · FL		Nov 29, 2023
Rep. Pfluger, August [R-TX-11]	R · TX		Dec 6, 2023
Rep. Courtney, Joe [D-CT-2]	D · CT		Dec 12, 2023
Rep. Goldman, Daniel S. [D-NY-10]	D · NY		Dec 12, 2023
Rep. Stansbury, Melanie Ann [D-NM-1]	D · NM		Dec 12, 2023

Committee Activity

Committee	Chamber	Activity	Date
Finance Committee	Senate	Discharged From	Dec 5, 2024
Ways and Means Committee	House	Reported By	Jan 16, 2024

Subjects & Policy Tags

Policy Area:

Taxation

Related Bills

Bill	Relationship	Last Action
118 HR 7024	Related bill	Aug 1, 2024: Motion by Senator Schumer to reconsider the vote by which cloture on the motion to proceed to the measure was not invoked (Record Vote No. 230) made in Senate.
118 HRES 961	Related bill	May 21, 2024: Laid on the table.
118 S 3711	Related bill	Jan 31, 2024: Read twice and referred to the Committee on Finance. (Sponsor introductory remarks on measure: CR S311)
118 S 3678	Related bill	Jan 25, 2024: Read twice and referred to the Committee on Finance.

Federal Disaster Tax Relief Act of 2023

This act extends the time period during which an area impacted by a major disaster may be considered a qualified disaster area, which allows certain taxpayers to qualify for an increased tax deduction for losses attributable to the disaster. This act also excludes East Palestine, Ohio, train derailment payments and qualified wildfire relief payments from income for federal tax purposes and extends the statute of limitations period for some refund or credit claims resulting from qualified wildfire relief payments.

Generally, individual taxpayers may claim an itemized tax deduction for unreimbursed personal casualty losses attributable to a federally declared disaster, to the extent that the loss exceeds \$100 per casualty and total annual losses exceed 10% of adjusted gross income. However, personal casualty losses attributable to a qualified disaster area are deductible to the extent that they exceed \$500 per casualty even if the taxpayer claims the standard deduction (rather than itemizing tax deductions) and are not subject to the 10% of adjusted gross income limitation. A *qualified disaster area* is an area impacted by a major disaster during a specific period of time.

The act extends the time period during which an area impacted by a major disaster may be considered a qualified disaster area and, therefore, allows disaster-related personal casualty losses sustained within those areas to be deducted to the extent such losses exceed \$500 per casualty.

The act also treats East Palestine train derailment payments as qualified disaster relief payments, which allows such payments to be excluded from income for federal tax purposes. East Palestine train derailment payments include compensation received on or after February 3, 2023, for losses, damages, expenses, reduction in real property value, closing costs, or inconvenience resulting from the East Palestine train derailment if such amount was provided by

- federal, state, or local government agencies;
- Norfolk Southern Railway; or
- any subsidiary, agent, or insurer of Norfolk Southern Railway.

Further, the act allows individuals to exclude from income qualified wildfire relief payments received between 2020 and 2025. Under the act, qualified wildfire relief payments include any unreimbursed amounts received in compensation for losses, expenses, or damages resulting from a forest or range fire that is a federally declared disaster declared after December 31, 2014. Damages include compensation for lost wages, personal injury, death, and emotional distress.

Finally, the act extends the statute of limitations for claiming a refund or credit related to qualified wildfire relief payments previously included in income on a federal tax return.

Actions Timeline

- **Dec 12, 2024:** Signed by President.
- **Dec 12, 2024:** Became Public Law No: 118-148.
- **Dec 10, 2024:** Presented to President.
- **Dec 5, 2024:** Message on Senate action sent to the House.
- **Dec 4, 2024:** Senate Committee on Finance discharged by Unanimous Consent.
- **Dec 4, 2024:** Passed/agreed to in Senate: Passed Senate without amendment by Voice Vote.
- **Dec 4, 2024:** Passed Senate without amendment by Voice Vote. (consideration: CR S6813)
- **May 22, 2024:** Received in the Senate and Read twice and referred to the Committee on Finance.
- **May 21, 2024:** Mr. Smith (MO) moved to suspend the rules and pass the bill, as amended.
- **May 21, 2024:** Considered under suspension of the rules. (consideration: CR H3379-3382)
- **May 21, 2024:** DEBATE - The House proceeded with forty minutes of debate on H.R. 5863.
- **May 21, 2024:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **May 21, 2024:** Considered as unfinished business. (consideration: CR H3387-3388)
- **May 21, 2024:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 382 - 7 (Roll no. 219). (text: CR H3379)
- **May 21, 2024:** On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 382 - 7 (Roll no. 219). (text: CR H3379)
- **May 21, 2024:** Motion to reconsider laid on the table Agreed to without objection.
- **Jan 16, 2024:** Reported (Amended) by the Committee on Ways and Means. H. Rept. 118-348.
- **Jan 16, 2024:** Placed on the Union Calendar, Calendar No. 284.
- **Nov 2, 2023:** Committee Consideration and Mark-up Session Held
- **Nov 2, 2023:** Ordered to be Reported in the Nature of a Substitute (Amended) by the Yeas and Nays: 38 - 0.
- **Oct 2, 2023:** Introduced in House
- **Oct 2, 2023:** Referred to the House Committee on Ways and Means.