

113TH CONGRESS
1ST SESSION

H. R. 2199

To delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 23, 2013

Mr. RICHMOND (for himself, Ms. WATERS, Mr. ALEXANDER, Mr. BOUSTANY, Mr. CASSIDY, Mr. SCALISE, and Ms. MATSUI) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, 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 “Flood Insurance Imple-
5 mentation Reform Act of 2013”.

6 **SEC. 2. 3-YEAR DELAY IN IMPLEMENTATION OF REQUIRED**
7 **PREMIUM ADJUSTMENT UPON REMAPPING.**

8 Notwithstanding any other provision of law, sub-
9 section (h) of section 1308 of the National Flood Insur-

1 ance Act of 1968 (42 U.S.C. 4015(h)), as added by section
2 100207 of the Biggert-Waters Flood Insurance Reform
3 Act of 2012 (Public Law 112–141; 126 Stat. 919), shall
4 have no force or effect until the date that is 3 years after
5 the date of the enactment of this Act.

6 **SEC. 3. 5-YEAR DELAY IN IMPLEMENTATION OF FULL ACTU-**
7 **ARIAL RATES FOR NEWLY PURCHASED PROP-**
8 **ERTIES.**

9 (a) DELAYED IMPLEMENTATION.—Paragraph (2) of
10 section 1307(g) of the National Flood Insurance Act of
11 1968 (42 U.S.C. 4014(g)(2)) is amended by inserting “the
12 expiration of the 5-year period that begins upon” before
13 “the date of enactment of the Biggert-Waters Flood In-
14 surance Reform Act of 2012”.

15 (b) TREATMENT OF INTERVENING RATE IN-
16 CREASES.—The amendment made by subsection (a) shall
17 be construed to require that, in the case of any property
18 purchased after the date of the enactment of the Biggert-
19 Waters Flood Insurance Reform Act of 2012 but before
20 the date of the enactment of this Act, any premium rate
21 increase made with respect to such purchase pursuant to
22 section 1307(g)(2) of the National Flood Insurance Act
23 of 1968 be reversed.

1 **SEC. 4. ADEQUATE PROGRESS ON CONSTRUCTION OF**
2 **FLOOD PROTECTION SYSTEMS.**

3 Subsection (e) of section 1307 of the National Flood
4 Insurance Act of 1968 (42 U.S.C. 4014(e)) is amended
5 by adding after the period at the end the following: “Not-
6 withstanding any other provision of law, in determining
7 whether a community has made adequate progress on the
8 construction, reconstruction, or improvement of a flood
9 protection system, the Administrator shall not consider
10 the level of Federal funding of or participation in the con-
11 struction, reconstruction, or improvement.”.

12 **SEC. 5. COMMUNITIES RESTORING DISACCREDITED FLOOD**
13 **PROTECTION SYSTEMS.**

14 Subsection (f) of section 1307 of the National Flood
15 Insurance Act of 1968 (42 U.S.C. 4014(f)) is amended
16 by striking the first sentence and inserting the following:
17 “Notwithstanding any other provision of law, this sub-
18 section shall apply to riverine and coastal levees, but only
19 in a community which has been determined by the Admin-
20 istrator of the Federal Emergency Management Agency
21 to be in the process of restoring flood protection afforded
22 by a flood protection system that had been previously ac-
23 credited on a Flood Insurance Rate Map as providing 100-
24 year frequency flood protection but no longer does so, and
25 shall apply without regard to the level of Federal funding

1 of or participation in the construction, reconstruction, or
2 improvement of the flood protection system.”.

3 **SEC. 6. AFFORDABILITY STUDY.**

4 Section 100236 of the Biggert-Waters Flood Insur-
5 ance Reform Act of 2012 (Public Law 112–141; 126 Stat.
6 957) is amended—

7 (1) in subsection (e), by striking “Not” and in-
8 serting the following: “Subject to subsection (e),
9 not”;

10 (2) in subsection (d)—

11 (A) by striking “(d) FUNDING.—Notwith-
12 standing” and inserting the following:

13 “(d) FUNDING.—

14 “(1) NATIONAL FLOOD INSURANCE FUND.—
15 Notwithstanding”; and

16 (B) by adding at the end the following:

17 “(2) OTHER FUNDING SOURCES.—To carry out
18 this section, in addition to the amount made avail-
19 able under paragraph (1), the Administrator may
20 use any other amounts that are available to the Ad-
21 ministrator.”; and

22 (3) by adding at the end the following new sub-
23 section:

1 “(e) ALTERNATIVE.—If the Administrator deter-
2 mines that the report required under subsection (c) cannot
3 be submitted by the date specified under subsection (c)—

4 “(1) the Administrator shall notify, not later
5 than 60 days after the date of enactment of this
6 subsection, the Committee on Banking, Housing,
7 and Urban Affairs of the Senate and the Committee
8 on Financial Services of the House of Representa-
9 tives of an alternative method of gathering the infor-
10 mation required under this section;

11 “(2) the Administrator shall submit, not later
12 than 180 days after the Administrator submits the
13 notification required under paragraph (1), to the
14 Committee on Banking, Housing, and Urban Affairs
15 of the Senate and the Committee on Financial Serv-
16 ices of the House of Representatives the information
17 gathered using the alternative method described in
18 paragraph (1); and

19 “(3) upon the submission of information re-
20 quired under paragraph (2), the requirement under
21 subsection (c) shall be deemed satisfied.”.

22 **SEC. 7. MAPPING OF NON-STRUCTURAL FLOOD MITIGA-**
23 **TION FEATURES.**

24 Section 100216 of the Biggert-Waters Flood Insur-
25 ance Reform Act of 2012 (42 U.S.C. 4101b) is amended—

1 (1) in subsection (b)(1)(A)—

2 (A) in clause (iv), by striking “and” at the
3 end;

4 (B) by redesignating clause (v) as clause
5 (vi);

6 (C) by inserting after clause (iv) the fol-
7 lowing new clause:

8 “(v) areas that are protected by non-
9 structural flood mitigation features; and”;

10 and

11 (D) in clause (vi) (as so redesignated), by
12 inserting before the semicolon at the end the
13 following: “and by non-structural flood mitiga-
14 tion features”; and

15 (2) in subsection (d)(1)—

16 (A) by redesignating subparagraphs (A)
17 through (C) as subparagraphs (B) through (D),
18 respectively; and

19 (B) by inserting before subparagraph (B)
20 (as so redesignated) the following new subpara-
21 graph:

22 “(A) work with States, local communities,
23 and property owners to identify areas and fea-
24 tures described in subsection (b)(1)(A)(v);”.

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