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.

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Flood Insurance Imple-
mentation Reform Act of 2013”.

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

Notwithstanding any other provision of law, sub-
section (h) of section 1308 of the National Flood Insur-
ance Act of 1968 (42 U.S.C. 4015(h)), as added by section 100207 of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141; 126 Stat. 919), shall have no force or effect until the date that is 3 years after the date of the enactment of this Act.

SEC. 3. 5-YEAR DELAY IN IMPLEMENTATION OF FULL ACTUARIAL RATES FOR NEWLY PURCHASED PROPERTIES.

(a) Delayed Implementation.—Paragraph (2) of section 1307(g) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(g)(2)) is amended by inserting “the expiration of the 5-year period that begins upon” before “the date of enactment of the Biggert-Waters Flood Insurance Reform Act of 2012”.

(b) Treatment of Intervening Rate Increases.—The amendment made by subsection (a) shall be construed to require that, in the case of any property purchased after the date of the enactment of the Biggert-Waters Flood Insurance Reform Act of 2012 but before the date of the enactment of this Act, any premium rate increase made with respect to such purchase pursuant to section 1307(g)(2) of the National Flood Insurance Act of 1968 be reversed.
SEC. 4. ADEQUATE PROGRESS ON CONSTRUCTION OF FLOOD PROTECTION SYSTEMS.

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

SEC. 5. COMMUNITIES RESTORING DISACCREDITED FLOOD PROTECTION SYSTEMS.

Subsection (f) of section 1307 of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(f)) is amended by striking the first sentence and inserting the following: “Notwithstanding any other provision of law, this subsection shall apply to riverine and coastal levees, but only in a community which has been determined by the Administrator of the Federal Emergency Management Agency to be in the process of restoring flood protection afforded by a flood protection system that had been previously accredited on a Flood Insurance Rate Map as providing 100-year frequency flood protection but no longer does so, and shall apply without regard to the level of Federal funding
of or participation in the construction, reconstruction, or improvement of the flood protection system.”.

SEC. 6. AFFORDABILITY STUDY.

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

(1) in subsection (e), by striking “Not” and inserting the following: “Subject to subsection (e), not”;

(2) in subsection (d)—

(A) by striking “(d) FUNDING.—Notwithstanding” and inserting the following:

“(d) FUNDING.—

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

(B) by adding at the end the following:

“(2) OTHER FUNDING SOURCES.—To carry out this section, in addition to the amount made available under paragraph (1), the Administrator may use any other amounts that are available to the Administrator.”; and

(3) by adding at the end the following new sub-section:
“(e) ALTERNATIVE.—If the Administrator determines that the report required under subsection (c) cannot be submitted by the date specified under subsection (c)—

“(1) the Administrator shall notify, not later than 60 days after the date of enactment of this subsection, the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives of an alternative method of gathering the information required under this section;

“(2) the Administrator shall submit, not later than 180 days after the Administrator submits the notification required under paragraph (1), to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives the information gathered using the alternative method described in paragraph (1); and

“(3) upon the submission of information required under paragraph (2), the requirement under subsection (c) shall be deemed satisfied.”.

SEC. 7. MAPPING OF NON-STRUCTURAL FLOOD MITIGATION FEATURES.

Section 100216 of the Biggert-Waters Flood Insurance Reform Act of 2012 (42 U.S.C. 4101b) is amended—
(1) in subsection (b)(1)(A)—

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

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

(C) by inserting after clause (iv) the following new clause:

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

and

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

(2) in subsection (d)(1)—

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

(B) by inserting before subparagraph (B) (as so redesignated) the following new subpara-

graph:

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

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