

113TH CONGRESS
1ST SESSION

S. 1601

To ensure that certain communities may be granted exceptions for floodproofed residential basements for purposes of determining risk premium rates for flood insurance.

IN THE SENATE OF THE UNITED STATES

OCTOBER 29, 2013

Mr. HOEVEN (for himself and Ms. HEITKAMP) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To ensure that certain communities may be granted exceptions for floodproofed residential basements for purposes of determining risk premium rates for flood insurance.

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 Safe Basements
5 Act”.

6 **SEC. 2. TREATMENT OF FLOODPROOFED RESIDENTIAL**
7 **BASEMENTS.**

8 (a) DEFINITIONS.—In this section—

1 (1) for purposes of rating a floodproofed cov-
2 ered structure, the term “adjusted base flood ele-
3 vation” means the base flood elevation for a covered
4 structure on the applicable effective flood insurance
5 rate map, plus 1 foot;

6 (2) the term “Administrator” means the Ad-
7 ministrator of the Federal Emergency Management
8 Agency;

9 (3) the term “applicable flood plain manage-
10 ment measures” means flood plain management
11 measures adopted by a community under section
12 60.3(c) of title 44, Code of Federal Regulations;

13 (4) the term “covered structure” means a resi-
14 dential structure—

15 (A) that is located in a community that
16 has adopted flood plain management measures
17 that are approved by the Federal Emergency
18 Management Agency and satisfy the require-
19 ments for an exception for floodproofed residen-
20 tial basements under section 60.6(c) of title 44,
21 Code of Federal Regulations; and

22 (B) that was built in compliance with the
23 applicable flood plain management measures;

24 (5) the term “floodproofed elevation” means the
25 height of floodproofing on a structure, as identified

1 on the Residential Basement Floodproofing Certifi-
2 cate for the structure; and

3 (6) the term “National Flood Insurance Pro-
4 gram” means the program established under the Na-
5 tional Flood Insurance Act of 1968 (42 U.S.C. 4001
6 et seq.).

7 (b) PRESERVATION OF BASEMENT EXCEPTION.—
8 Notwithstanding the Biggert-Waters Flood Insurance Re-
9 form Act of 2012 (Public Law 112–141; 126 Stat. 916),
10 the amendments made by that Act, or any other provision
11 of law, the Administrator shall rate a covered structure
12 using the elevation difference between the floodproofed ele-
13 vation of the covered structure and the adjusted base flood
14 elevation of the covered structure.

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