

Hazard Eligibility and Local Projects Act

[Public Law 117–332]

[This law has not been amended]

【Currency: This publication is a compilation of the text of Public Law 117–332. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

AN ACT To modify eligibility requirements for certain hazard mitigation assistance programs, and for other purposes.

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

SECTION 1. [42 U.S.C. 5170c note] SHORT TITLE.

This Act may be cited as the “Hazard Eligibility and Local Projects Act”.

SEC. 2. AUTHORITY TO BEGIN IMPLEMENTATION OF ACQUISITION AND DEMOLITION ASSISTANCE PROJECTS.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Federal Emergency Management Agency.

(2) COVERED PROJECT.—The term “covered project” means a project that—

(A) is an acquisition and demolition project for which an entity began implementation, including planning or construction, before or after requesting assistance for the project under a hazard mitigation assistance program; and

(B) qualifies for a categorical exclusion under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(3) HAZARD MITIGATION ASSISTANCE PROGRAM.—The term “hazard mitigation assistance program” means—

(A) any grant program authorized under section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133);

(B) the hazard mitigation grant program authorized under section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c); and

- (C) the flood mitigation assistance program authorized under section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c).
- (b) ELIGIBILITY FOR ASSISTANCE FOR COVERED PROJECTS.—
- (1) IN GENERAL.—An entity seeking assistance under a hazard mitigation assistance program may be eligible to receive that assistance for a covered project if—
- (A) the entity—
- (i) complies with all other eligibility requirements of the hazard mitigation assistance program for acquisition or demolition projects, including extinguishing all incompatible encumbrances; and
- (ii) complies with all Federal requirements for the covered project; and
- (B) the Administrator determines that the covered project—
- (i) qualifies for a categorical exclusion under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);
- (ii) is compliant with applicable floodplain management and protection of wetland regulations and criteria; and
- (iii) does not require consultation under any other environmental or historic preservation law or regulation or involve any extraordinary circumstances.
- (2) COSTS INCURRED.—An entity seeking assistance under a hazard mitigation assistance program shall be responsible for any project costs incurred by the entity for a covered project if the covered project is not awarded, or is determined to be ineligible for, assistance.
- (c) APPLICABILITY.—This Act shall apply to covered projects started on or after the date of enactment of this Act.
- (d) REPORT.—Not later than 180 days after the date of enactment of this Act, and annually thereafter for 3 years, the Administrator shall submit to Congress a report on use of the authority under this Act, including—
- (1) how many applicants used the authority;
- (2) how many applicants using the authority successfully obtained a grant;
- (3) how many applicants were not able to successfully obtain a grant;
- (4) the reasons applicants were not able to obtain a grant; and
- (5) the extent to which applicants using the authority were able to comply with all necessary Federal environmental, historic preservation, and other related laws and regulations.
- (e) TERMINATION.—The authority provided under this Act shall cease to be effective on the date that is 3 years after the date of enactment of this Act.