

112TH CONGRESS
1ST SESSION

H. R. 700

To provide a moratorium on the issuance of flood insurance rate maps, to assist property owners in adapting to flood insurance rate map changes, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 2011

Mr. WALBERG introduced the following bill; which was referred to the
Committee on Financial Services

A BILL

To provide a moratorium on the issuance of flood insurance rate maps, to assist property owners in adapting to flood insurance rate map changes, 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 section may be cited as the “Floodplain Maps
5 Moratorium Act”.

1 **SEC. 2. 5-YEAR DELAY IN EFFECTIVE DATE OF MANDATORY**
2 **PURCHASE REQUIREMENT FOR NEW FLOOD**
3 **HAZARD AREAS.**

4 (a) IN GENERAL.—Section 102 of the Flood Disaster
5 Protection Act of 1973 (42 U.S.C. 4012a) is amended by
6 adding at the end the following new subsections:

7 “(i) DELAYED EFFECTIVE DATE OF MANDATORY
8 PURCHASE REQUIREMENT FOR NEW FLOOD HAZARD
9 AREAS.—

10 “(1) IN GENERAL.—In the case of any area
11 that was not previously designated as an area having
12 special flood hazards and that, pursuant to any
13 issuance, revision, updating, or other change in flood
14 insurance maps that takes effect on or after Sep-
15 tember 30, 2007, becomes designated as an area
16 having special flood hazards, if each State and local
17 government having jurisdiction over any portion of
18 the geographic area has complied with paragraph
19 (2), such designation shall not take effect for pur-
20 poses of subsection (a), (b), or (e) of this section, or
21 section 202(a) of this Act, until the expiration of the
22 5-year period beginning upon the date that such
23 maps, as issued, revised, update, or otherwise
24 changed, become effective.

25 “(2) NOTICE REQUIREMENTS.—A State or local
26 government shall be considered to have complied

1 with this paragraph with respect to any geographic
2 area described in paragraph (1) only if the State or
3 local government has, before the effective date of the
4 issued, revised, updated, or changed maps, and in
5 accordance with such standards as shall be estab-
6 lished by the Director—

7 “(A) developed an evacuation plan to be
8 implemented in the event of flooding in such
9 portion of the geographic area; and

10 “(B) developed and implemented an out-
11 reach and communication plan to advise occu-
12 pants in such portion of the geographic area of
13 potential flood risks, appropriate evacuation
14 routes under the evacuation plan referred to in
15 subparagraph (A), the opportunity to purchase
16 flood insurance, and the consequences of failure
17 to purchase flood insurance.

18 “(3) RULE OF CONSTRUCTION.—Nothing in
19 paragraph (1) may be construed to affect the appli-
20 cability of a designation of any area as an area hav-
21 ing special flood hazards for purposes of the avail-
22 ability of flood insurance coverage, criteria for land
23 management and use, notification of flood hazards,
24 eligibility for mitigation assistance, or any other pur-

1 pose or provision not specifically referred to in para-
2 graph (1).

3 “(j) AVAILABILITY OF PREFERRED RISK RATING
4 METHOD PREMIUMS.—The preferred risk rate method
5 premium shall be available for flood insurance coverage
6 for properties located in areas referred to in subsection
7 (i)(1) and during the time period referred to in subsection
8 (i)(1).”.

9 (b) CONFORMING AMENDMENT.—The second sen-
10 tence of subsection (h) of section 1360 of the National
11 Flood Insurance Act of 1968 (42 U.S.C. 4101(h)) is
12 amended by striking “Such” and inserting “Except for no-
13 tice regarding a change described in section 102(i)(1) of
14 the Flood Disaster Protection Act of 1973 (42 U.S.C.
15 4012a(i)(1)), such”.

16 (c) NO REFUNDS.—Nothing in this section or the
17 amendments made by this section may be construed to au-
18 thorize or require any payment or refund for flood insur-
19 ance coverage purchased for any property that covered any
20 period during which such coverage is not required for the
21 property pursuant to the applicability of the amendment
22 made by subsection (a).

1 **SEC. 3. NOTIFICATION TO HOMEOWNERS REGARDING MAN-**
2 **DATORY PURCHASE REQUIREMENT APPLICA-**
3 **BILITY.**

4 Section 201 of the Flood Disaster Protection Act of
5 1973 (42 U.S.C. 4105) is amended by adding at the end
6 the following new subsection:

7 “(f) ANNUAL NOTIFICATION.—The Director, in con-
8 sultation with affected communities, shall establish and
9 carry out a plan to notify residents of areas having special
10 flood hazards, on an annual basis—

11 “(1) that they reside in such an area;

12 “(2) of the geographical boundaries of such
13 area;

14 “(3) of the provisions of section 102 requiring
15 purchase of flood insurance coverage for properties
16 located in such an area, including the date on which
17 such provisions apply with respect to such area, tak-
18 ing into consideration section 102(i); and

19 “(4) of a general estimate of what similar
20 homeowners in similar areas typically pay for flood
21 insurance coverage.”.

22 **SEC. 4. NOTIFICATION OF ESTABLISHMENT OF FLOOD ELE-**
23 **VATIONS.**

24 Section 1360 of the National Flood Insurance Act of
25 1968 (42 U.S.C. 4101) is amended by adding at the end
26 the following new subsection:

1 “(k) NOTIFICATION TO MEMBERS OF CONGRESS OF
2 MAP MODERNIZATION.—Upon any revision or update of
3 any floodplain area or flood-risk zone pursuant to sub-
4 section (f), any decision pursuant to subsection (f)(1) that
5 such revision or update is necessary, any issuance of pre-
6 liminary maps for such revision or updating, or any other
7 significant action relating to any such revision or update,
8 the Director shall notify the Senators for each State af-
9 fected, and each Member of the House of Representatives
10 for each congressional district affected, by such revision
11 or update in writing of the action taken.”.

12 **SEC. 5. REVIEW OF FLOOD MAP CHANGES BY AFFECTED**
13 **COMMUNITIES.**

14 Section 1360 of the National Flood Insurance Act of
15 1968 (42 U.S.C. 4101), as amended by section 3, is fur-
16 ther amended by adding at the end the following new sub-
17 section:

18 “(l) REVIEW OF FLOOD MAP CHANGES BY AF-
19 FECTED COMMUNITIES.—Not later than three years be-
20 fore the date on which a flood insurance rate map change
21 or revision becomes effective, the Director shall notify each
22 community affected by such map change or revision, in-
23 cluding each State and local government with jurisdiction
24 over an area affected by such map change or revision, and
25 provide each such community and each such State and

1 local government with an opportunity to review such map
2 change or revision and propose modifications to such map
3 change or revision.”.

4 **SEC. 6. REVIEW OF FLOOD MAP METHODOLOGY.**

5 Section 1360 of the National Flood Insurance Act of
6 1968 (42 U.S.C. 4101), as amended by section 4, is fur-
7 ther amended by adding at the end the following new sub-
8 section:

9 “(m) REVIEW OF FLOOD MAP METHODOLOGY.—Not
10 less than once every ten years, the Comptroller General
11 of the United States shall conduct a review of the method-
12 ology used to issue or revise flood insurance rate maps
13 and submit the results of such review to Congress and the
14 Director.”.

15 **SEC. 7. APPEALS.**

16 (a) TELEVISION AND RADIO ANNOUNCEMENT.—Sec-
17 tion 1363 of the National Flood Insurance Act of 1968
18 (42 U.S.C. 4104) is amended—

19 (1) in subsection (a), by inserting after “deter-
20 minations” by inserting the following: “by notifying
21 a local television and radio station,”; and

22 (2) in the first sentence of subsection (b), by in-
23 serting before the period at the end the following:
24 “and shall notify a local television and radio station
25 at least once during the same 10-day period”.

1 (b) APPLICABILITY.—The amendments made by sub-
2 section (a) shall apply with respect to any flood elevation
3 determination for any area in a community that has not,
4 as of the date of the enactment of this Act, been issued
5 a Letter of Final Determination for such determination
6 under the flood insurance map modernization process.

7 **SEC. 8. STUDY ON REPAYING FLOOD INSURANCE DEBT.**

8 Not later than the expiration of the 6-month period
9 beginning on the date of the enactment of this Act, the
10 Administrator of the Federal Emergency Management
11 Agency shall submit a report to the Congress setting forth
12 a plan for repaying within 10 years all amounts, including
13 any amounts previously borrowed but not yet repaid, owed
14 pursuant to clause (2) of subsection (a) of section 1309
15 of the National Flood Insurance Act of 1968 (42 U.S.C.
16 4016(a)(2)).

○