

115TH CONGRESS 1ST SESSION H.R. 1558

To amend the National Flood Insurance Act of 1968 to ensure community accountability for areas repetitively damaged by floods, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

March 16, 2017

Mr. ROYCE of California (for himself and Mr. Blumenauer) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To amend the National Flood Insurance Act of 1968 to ensure community accountability for areas repetitively damaged by floods, 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 "Repeatedly Flooded
- 5 Communities Preparation Act".

1	SEC. 2. COMMUNITY ACCOUNTABILITY FOR REPETITIVELY
2	FLOODED AREAS.
3	(a) In General.—Section 1361 of the National
4	Flood Insurance Act of 1968 (42 U.S.C. 4102) is amended
5	by adding at the end the following new subsection:
6	"(e) Community Accountability for Repet-
7	ITIVELY DAMAGED AREAS.—
8	"(1) In General.—The Administrator shall,
9	by regulation, require any covered community (as
10	such term is defined in paragraph (3))—
11	"(A) to identify the areas within the com-
12	munity where properties described in paragraph
13	(5)(B) or flood-damaged facilities are located to
14	determine areas repeatedly damaged by floods
15	and to assess, with assistance from the Admin-
16	istrator, the continuing risks to such areas;
17	"(B) to develop a community-specific plan
18	for mitigating continuing flood risks to such re-
19	petitively flooded areas and to submit such plan
20	and plan updates to the Administrator at ap-
21	propriate intervals;
22	"(C) to implement such plans;
23	"(D) to make such plan, plan updates, and
24	reports on progress in reducing flood risk avail-
25	able to the public, subject to section 552a of
26	title 5, United States Code.

"(2) Incorporation into existing plans.—
Plans developed pursuant to paragraph (1) may be
incorporated into mitigation plans developed under
section 1366 of this Act (42 U.S.C. 4104c) and hazard mitigation plans developed under section 322 of
the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5165).

"(3) Assistance to communities.—

- "(A) Data.—To assist communities in preparation of plans required under paragraph (1), the Administrator shall, upon request, provide covered communities with appropriate data regarding the property addresses and dates of claims associated with insured properties within the community.
- "(B) MITIGATION GRANTS.—In making determinations regarding financial assistance under the authorities of this Act, the Administrator may consider the extent to which a community has complied with this subsection and is working to remedy problems with addressing repeatedly flooded areas.
- "(4) Sanctions.—The Administrator shall, by regulations issued in accordance with the procedures established under section 553 of title 5, United

1	States Code, regarding substantive rules, provide ap-
2	propriate sanctions for covered communities that fail
3	to comply with the requirements under this sub-
4	section or to make sufficient progress in reducing
5	the flood risks to areas in the community that are
6	repeatedly damaged by floods. Such sanctions shall
7	include suspension from the national flood insurance
8	program and probation under such program, in the
9	manner provided under section 59.24 of the Admin-
10	istrator's regulations (44 C.F.R. 59.24).
11	"(5) Covered community.—For purposes of
12	this subsection, the term 'covered community' means
13	a community—
14	"(A) that is participating, pursuant to sec-
15	tion 1315, in the national flood insurance pro-
16	gram; and
17	"(B) within which are located—
18	"(i) 50 or more repetitive loss struc-
19	tures (as such term is defined in para-
20	graph (4));
21	"(ii) 5 or more severe repetitive loss
22	structures (as such term is defined in sec-
23	tion 1366(h)) for which mitigation activi-
24	ties meeting the standards for approval

1 under section 1366(c)(2)(A) have not been 2 conducted; or 3 "(iii) a public facility or a private

"(iii) a public facility or a private nonprofit facility (as such terms are as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)), that has received assistance for repair, restoration, reconstruction, or replacement under section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172) in connection with more than one flooding event in the most recent 10-year period.

"(6) Repetitive-loss structure.—For purposes of this subsection, the term 'repetitive loss structure' has the meaning given such term in section 1370 (42 U.S.C. 4121).

"(7) Reports to congress.—Not later than the expiration of the 6-year period beginning upon the date of the enactment of this subsection, and not less than every 2 years thereafter, the Administrator shall submit a report to the Congress regarding the progress in implementing plans developed pursuant to paragraph (1)(B)."

- 1 (b) REGULATIONS.—The Administrator of the Fed-
- 2 eral Emergency Management Agency shall issue regula-
- 3 tions necessary to carry out subsection (e) of section 1361
- 4 of the National Flood Insurance Act of 1968, as added
- 5 by the amendment made by subsection (a) of this section,
- 6 not later than the expiration of the 12-month period that
- 7 begins on the date of the enactment of this Act.

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