

115TH CONGRESS
1ST SESSION

H. R. 2868

To protect National Flood Insurance Program policyholders from unreasonable premium rates and to require the Program to consider the unique characteristics of urban properties, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 2017

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

A BILL

To protect National Flood Insurance Program policyholders from unreasonable premium rates and to require the Program to consider the unique characteristics of urban properties, 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 “National Flood Insur-
5 ance Program Policyholder Protection Act of 2017”.

1 **SEC. 2. CAP ON PREMIUMS.**

2 Paragraph (1) of section 1308(e) of the National
3 Flood Insurance Act of 1968 (42 U.S.C. 4015(e)(1)) is
4 amended—

5 (1) by striking “except —” and inserting “ex-
6 cept as provided in paragraph (4); and”;

7 (2) by striking subparagraphs (A) and (B);

8 (3) in subparagraph (C)—

9 (A) in clause (ii), by redesignating sub-
10 clauses (I) and (II) as items (aa) and (bb), re-
11 spectively;

12 (B) by redesignating clauses (i) through
13 (iii) as subclauses (I) through (III), respec-
14 tively; and

15 (C) by striking “(C) in the case of a prop-
16 erty that—” and inserting the following:

17 “(B) The limitations under clauses (i) and (ii)
18 of subparagraph (A) shall not apply in the case of—

19 “(i) a property identified under section
20 1307(g); or

21 “(ii) a property that—”;

22 (4) by striking “under this title for any prop-
23 erty” and inserting the following: “under this title—

24 “(i) for any property”;

25 (5) by inserting “(A) subject to subparagraph
26 (B),” after the paragraph designation; and

1 (6) by inserting before subparagraph (B), as so
2 redesignated by the amendment made by paragraph
3 (3)(C) of this section, the following new clause:

4 “(ii) for any residential property having 4
5 or fewer residences and for which a valid Na-
6 tional Flood Insurance Program Elevation Cer-
7 tificate has been filed with the National Flood
8 Insurance Program within the proceeding cal-
9 endar year, may not exceed \$10,000 in any sin-
10 gle year, except that such amount (as it may
11 have been previously adjusted) shall be adjusted
12 for inflation by the Administrator upon the ex-
13 piration of the 5-year period beginning upon the
14 enactment of the National Flood Insurance
15 Program Policyholder Protection Act of 2017
16 and upon the expiration of each successive 5-
17 year period thereafter, in accordance with an
18 inflationary index selected by the Adminis-
19 trator.”.

20 **SEC. 3. PREMIUM RATES FOR CERTAIN MITIGATED PROP-**
21 **ERTIES.**

22 (a) MITIGATION STRATEGIES.—Paragraph (1) of sec-
23 tion 1361(d) of the National Flood Insurance Act of 1968
24 (42 U.S.C. 4102(d)(1)) is amended—

1 (1) in subparagraph (A), by striking “and” at
2 the end;

3 (2) in subparagraph (B), by striking “and” at
4 the end; and

5 (3) by inserting after subparagraph (B) the fol-
6 lowing new subparagraphs:

7 “(C) with respect to buildings in dense
8 urban environments, methods that can be de-
9 ployed on a block or neighborhood scale; and

10 “(D) elevation of mechanical systems;
11 and”.

12 (b) MITIGATION CREDIT.—Subsection (k) of section
13 1308 of the National Flood Insurance Act of 1968 (42
14 U.S.C. 4015(k)) is amended—

15 (1) by striking “shall take into account” and
16 inserting the following: “shall—

17 “(1) take into account”;

18 (2) in paragraph (1), as so designated by the
19 amendment made by paragraph (1) of this sub-
20 section, by striking the period at the end and insert-
21 ing “; and”; and

22 (3) by adding at the end the following new
23 paragraph:

24 “(2) offer a reduction of the risk premium rate
25 charged to a policyholder, as determined by the Ad-

1 administrator, if the policyholder implements any miti-
2 gation method described in paragraph (1).”.

3 **SEC. 4. STUDY OF FLOOD INSURANCE COVERAGE FOR**
4 **UNITS IN COOPERATIVE HOUSING.**

5 The Administrator of the Federal Emergency Man-
6 agement Agency shall conduct a study to analyze and de-
7 termine the feasibility of providing flood insurance cov-
8 erage under the National Flood Insurance Program under
9 the National Flood Insurance Act of 1968 (42 U.S.C.
10 4001 et seq.) for individual dwelling units in cooperative
11 housing projects. Not later than the expiration of the 24-
12 month period beginning on the date of the enactment of
13 this Act, the Administrator shall submit a report to the
14 Committee on Financial Services of the House of Rep-
15 resentatives and the Committee on Banking, Housing, and
16 Urban Affairs of the Senate regarding the findings and
17 conclusions of the study conducted pursuant to this sec-
18 tion, which shall include a plan setting forth specific ac-
19 tions to implement the development of such flood insur-
20 ance coverage.

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