IN THE HOUSE OF REPRESENTATIVES

M. ______ introduced the following bill; which was referred to the Committee on __________________________

A BILL

To ______.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ______ Act of 2019.

SEC. 2. INCREASED COST OF COMPLIANCE COVERAGE.

Section 1304(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4011(b)) is amended—
(1) in paragraph (4), by redesignating subparagraphs (A) through (D) as clauses (i) through (iv), respectively;

(2) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively;

(3) in subparagraph (C) as so redesignated, by striking the period at the end and inserting a semicolon;

(4) by redesignating paragraph (4) as subparagraph (E);

(5) by inserting after subparagraph (C), as so redesignated, the following:

“(D) properties identified by the Administrator as priorities for mitigation activities before the occurrence of damage to or loss of property which is covered by flood insurance; and”;

(6) by inserting before “The national flood insurance program” the following: “(1) IN GENERAL.—”;

(7) by striking “The Administrator” and inserting the following:

“(2) PREMIUM.—The Administrator”; and

(8) by adding at the end the following new paragraphs:

“(3) AMOUNT OF COVERAGE.—Each policy for flood insurance coverage made available under this title shall provide coverage under this subsection having an aggregate liability for any single property of $60,000.

“(4) ELIGIBLE MITIGATION ACTIVITIES.—Eligible mitigation methods the cost of which is covered by coverage provided under this subsection shall include—

“(A) alternative methods of mitigation identified in the guidelines issued pursuant to section 1361(d);

“(B) pre-disaster mitigation; and

“(C) costs of acquiring real property.

“(5) TREATMENT OF COVERAGE LIMITS.—Any amount of coverage for a property provided pursuant to this subsection shall not be considered or counted for purposes of any limitation on coverage applicable to such property under section 1306(b) (42 U.S.C. 4013(b)) and any claim on such coverage shall not be considered a claim for purposes of section 1307(h) or subsection (a)(3) or (h)(3) of section 1366.”.

SEC. 3. REPEITIVE LOSS.

Section 1361 of the National Flood Insurance Act of 1968 (42 U.S.C. 4102) is amended by adding at the end the following new subsection:
“(e) REPEATEDLY FLOODED AREAS.—In making determinations regarding financial assistance under the authorities of this Act, the Administrator may consider the extent to which a community is working to remedy problems with addressing repeatedly flooded areas.”.

SEC. 4. PREMIUM RATES FOR CERTAIN MITIGATED PROPERTIES.

(a) Mitigation Strategies.—Paragraph (1) of section 1361(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4102(d)(1)) is amended—

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

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

(3) by inserting after subparagraph (B) the following new subparagraphs:

“(C) with respect to buildings in dense urban environments, methods that can be deployed on a block or neighborhood scale; and

“(D) elevation of mechanical systems; and’’.

(b) Mitigation Credit.—Subsection (k) of section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(k)) is amended—
(1) by striking “shall take into account” and inserting the following: “shall—

“(1) take into account”;

(2) in paragraph (1), as so designated by the amendment made by paragraph (1) of this subsection, by striking the period at the end and inserting “; and”; and

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

“(2) offer a reduction of the risk premium rate charged to a policyholder, as determined by the Administrator, if the policyholder implements any mitigation method described in paragraph (1).”.

SEC. 5. COVERAGE FOR COOPERATIVES.

(a) EQUAL TREATMENT WITH CONDOMINIUMS.—

Section 1306 of the National Flood Insurance Act of 1968 (42 U.S.C. 4013) is amended by adding at the end the following:

“(e) COOPERATIVE BUILDINGS.—Notwithstanding any other provision of law, the Administrator shall make flood insurance coverage available to any individual with a membership interest and occupancy agreement in a cooperative housing project on the same terms as any owner of a condominium.”.
(b) PAYMENT OF CLAIMS.—Section 1312 of the National Flood Insurance Act of 1968 (42 U.S.C. 4019) is amended—

(1) in subsection (c)—

(A) by striking “flood insurance to condominium owners” and inserting the following: “flood insurance—

“(1) to condominium owners”; and

(B) by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following: “(2) to individuals with a membership interest and occupancy agreement in a cooperative housing project who purchased such flood insurance separate and apart from the flood insurance purchased by the cooperative association in which such individual is a member, based solely, or in any part, on the flood insurance coverage of the cooperative association or others on the overall property owned by the cooperative association.”; and

(2) by adding at the end the following: “(d) DEFINITIONS.—For purposes of this section and section 1306(e), the terms ‘cooperative association’ and ‘cooperative housing project’ shall have such meaning as the Secretary shall provide.”.
SEC. 6. VOLUNTARY COMMUNITY-BASED FLOOD INSURANCE PILOT PROGRAM.

(a) ESTABLISHMENT.—The Administrator of the Federal Emergency Management Agency (in this section referred to as the “ Administrator”) may carry out a community-based flood insurance pilot program to make available, for purchase by participating communities, a single, community-wide flood insurance policy under the National Flood Insurance Program that—

(1) covers all residential and non-residential properties within the community; and

(2) satisfies, for all such properties within the community, the mandatory purchase requirements under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a).

(b) PARTICIPATION.—Participation by a community in the pilot program under this section shall be at the sole discretion of the community.

(c) REQUIREMENTS FOR COMMUNITY-WIDE POLICIES.—The Administrator shall ensure that a community-wide flood insurance policy made available under the pilot program under this section incorporates the following requirements:

(1) A mapping requirement for properties covered by the policy.

(2) A cap on premiums.
(3) A deductible.

(4) Certification or accreditation of mitigation infrastructure when available and appropriate.

(5) A community audit.

(6) The Community Rating System under section 1315(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4022(b)).

(7) A method of preventing redundant claims payments by the National Flood Insurance Program in the case of a claim by an individual property owner who is covered by a community-wide flood insurance policy and an individual policy obtained through the Program.

(8) Coverage for damage arising from flooding that complies with the standards under the National Flood Insurance Program appropriate to the nature and type of property covered.

(d) **Timing.**—The Administrator may establish the demonstration program under this section not later than the expiration of the 180-day period beginning on the date of the enactment of this Act and the program shall terminate on September 30, 2022.

(e) **Definition of Community.**—For purposes of this section, the term “community” means any unit of
local government, within the meaning given such term under the laws of the applicable State.

SEC. 7. MITIGATION FUNDING.

For each of the first 5 fiscal years beginning after following the date of the enactment of this Act, there is authorized to be appropriated $2,000,000,000 to carry out the predisaster hazard mitigation program under section 203 of the Robert T. Stafford Disaster Assistance and Emergency Relief Act (2 U.S.C. 5133).

SEC. 8. COMMUNITY RATING SYSTEM IMPROVEMENTS.

(a) Provision of Community Rating System Premium Credits to Maximum Number of Communities Practicable.—Subsection (b) of section 1315 of the National Flood Insurance Act of 1968 (42 U.S.C. 4022(b)) is amended—

(1) in paragraph (2), by striking “may” and inserting “shall”; and

(2) in paragraph (3), by inserting “, and the Administrator shall provide credits to the maximum number of communities practicable” after “under this program”.

(b) Grants for Community Rating System Program Coordinators.—Section 1315 of the National Flood Insurance Act of 1968 (42 U.S.C. 4022) is amended by adding at the end the following new subsection:
“(c) Grants for Community Rating System Program Coordinators.—

“(1) Authority.—The Administrator shall carry out a program to make grants to consortia of States and communities for use only for costs of employing or otherwise retaining an individual or individuals to coordinate and carry out responsibilities relating to participation in the community rating system program under subsection (b) for States and communities that are members of such consortia.

“(2) Eligibility.—The Administrator shall establish such criteria as the Administrator considers appropriate for a consortium of States and communities to be eligible for grants under this subsection, which shall include requiring a consortium to provide evidence to the Administrator that the consortium has sufficient authority and administrative capability to use grant amounts in accordance with this subsection on behalf of its member jurisdictions.

“(3) Timing.—A consortium receiving a grant under this section shall establish the position or positions described in paragraph (1), and employ or otherwise retain an individual or individuals to fill such position or positions, not later than the date that all such grant amounts are expended.
“(4) APPLICATIONS.—The Administrator shall provide for consortia of States and communities to submit applications for grants under this subsection, which shall include—

“(A) the evidence referred to in paragraph (2);

“(B) such assurances as the Administrator shall require to ensure compliance with the requirement under paragraph (3);

“(C) such assurances as the Administrator shall require to ensure that the consortia will provide funding sufficient to continue the position or positions funded with the grant amounts, in the same annual amount as under such grant funding, after such grant funds are expended; and

“(D) such other information as the Administrator may require.

“(5) SELECTION.—From among eligible consortia of States and communities submitting applications pursuant to paragraph (3), the Administrator shall select consortia to receive grants under this subsection in accordance with such competitive criteria for such section as the Administrator shall establish.
“(6) DefineION OF COMMUNITY.—For purposes of this section, the term ‘community’ has the meaning given such term in section 1366(h) (42 U.S.C. 4104c(h)), except that such term includes counties and regional planning authorities that do not have zoning and building code jurisdiction.

“(7) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for grants under this subsection—

“(A) $7,000,000 for the first fiscal year commencing after the expiration of the 4-month period beginning on the date of the enactment of this Act; and

“(B) $7,000,000 for each of the four consecutive fiscal years thereafter.”.

SEC. 9. COMMUNITY ASSISTANCE PROGRAM FOR EFFECTIVE FLOODPLAIN MANAGEMENT.

(a) IN GENERAL.—Chapter I of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.) is amended by adding at the end the following:

“SEC. 1326. COMMUNITY ASSISTANCE PROGRAM FOR EFFECTIVE FLOODPLAIN MANAGEMENT.

“(a) IN GENERAL.—The Administrator shall establish a community assistance program under this section to increase the capacity and capability of States, Indian
tribes, and communities to effectively manage flood risk
and participate in the national flood insurance program,
including the community rating system program under
section 1315(b), by providing financial and technical as-
sistance to States, tribes and communities.

“(b) COMPONENTS.—The community assistance pro-
gram under this program shall include—

“(1) making community assistance grants
under subsection (c) to States;

“(2) conducting periodic assessments, not less
often than once every 5 years, of the technical as-
sistance and training needs of States, Indian tribes,
and communities;

“(3) providing technical assistance and training
to States, Indian tribes, and communities in accord-
ance with the needs identified by such assessments;

“(4) conducting periodic reviews of State, In-
dian tribe, and community floodplain management
standards by the Administrator to promote contin-
uous improvement in building and maintaining effective State floodplain management programs (as such
term is defined in subsection (d));

“(5) conducting periodic estimates of the losses
avoided nationally due to the adoption of qualifying
floodplain management standards by States, Indian tribes and communities;

“(6) in coordination with each State receiving a grant under subsection (c), developing and executing a strategy to—

“(A) provide technical and financial assistance to communities, including small and rural communities, and Indian tribes within the State; and

“(B) encourage greater participation in the community rating system program; and

“(7) establishing goals for States participating in the program and incentives for exceeding such goals.

“(c) COMMUNITY ASSISTANCE GRANTS TO STATES.—

“(1) IN GENERAL.—Under the program under this section the Administrator may award grants to States, which shall be used only—

“(A) to increase the capacity and capability of the State and communities and Indian tribes in the State to effectively manage flood risk and to fully participate in the national flood insurance program, including the community rating system program; and
“(B) for activities related to implementation, administration, oversight, and enforcement of the national flood insurance program at the State and local and tribal levels.

“(2) GUIDELINES.—The Administrator shall establish guidelines governing the use of grant funds under this subsection, including setting forth activities eligible to be funded with such amounts.

“(3) ELIGIBILITY.—To be eligible to receive a grant under this subsection, a State shall—

“(A) demonstrate, to the satisfaction of the Administrator, that the State has in effect qualifying State floodplain management standards for the State;

“(B) agree to submit such reports, certifications, and information to the Administrator as the Administrator shall require, including those required under paragraph (5); and

“(C) meet any additional eligibility requirements as the Administrator may require.

“(4) APPLICATION; SELECTION CRITERIA.—The Administrator shall provide for States to submit applications for grants under this subsection, which shall include such information, assurances, and certifications as the Administrator may require, and
may establish criteria for selection of qualifying applications to be selected for grants under this subsection.

“(5) ONGOING REVIEW OF FLOODPLAIN MANAGEMENT STANDARDS.—Each State that is awarded funds under this section shall provide periodic reports, certifications, and information regarding the floodplain management standards of such State as the Administrator may require for the duration of the use of grant amounts.

“(d) DEFINITIONS.—For purposes of this section:

“(1) INDIAN TRIBE.—The term ‘Indian tribe’ has the meaning given such term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

“(2) QUALIFYING STATE FLOODPLAIN MANAGEMENT STANDARDS.—The term ‘qualifying State floodplain management standards’ means the floodplain management standards of a State that—

“(A) are specifically authorized under State law and do not conflict with or inhibit the implementation of the National Flood Insurance Act of 1968;
“(B) designate an entity responsible for coordinating the national flood insurance program in the State;

“(C) identify State resources and programs to manage floodplains and reduce flood risk;

“(D) address on a long-term basis—

“(i) integration of floodplain management activities with other State functions and activities;

“(ii) identification of flood hazards;

“(iii) management of natural floodplain functions and resources;

“(iv) elimination of adverse impacts of development on the floodplain;

“(v) flood mitigation and recovery strategies for the State;

“(vi) strategies for informing communities and citizens about flood risk and mitigation options; and

“(vii) measures for evaluating the effectiveness of State floodplain management efforts;

“(E) include a long-term plan that will facilitate the prioritization and provision of training and technical assistance to communities and
Indian tribes in the State to increase local and tribal capacity and capability for floodplain management, including the capacity and capability to participate in the national flood insurance program and the community rating system program;

“(F) provide for oversight, administration and enforcement of the national flood insurance program at the State and community levels; and

“(G) meet such other requirements as the Administrator may establish.

“(e) FUNDING.—

“(1) AUTHORIZATION OF APPROPRIATIONS.— There is authorized to be appropriated $20,000,000 for each of fiscal years 2019 through 2024 for the National Flood Insurance Fund for carrying out this section. Any amounts appropriated pursuant to this subsection shall remain available until expended.

“(2) SET-ASIDES.—From any amounts made available for grants under this section, the Administrator may reserve such amount as the Administrator considers appropriate—

“(A) for community assistance grants under subsection (c) to States; and
“(B) for additional assistance only for States exceeding the goals established pursuant to subsection (b)(8).”.

(b) USE OF NATIONAL FLOOD INSURANCE FUND AMOUNTS.—Subsection (a) of section 1310 of the National Flood Insurance Act of 1968 (42 U.S.C. 4017(a)) is amended—

(1) in paragraph (7), by striking “and” at the end;

(2) in paragraph (8), by striking the period at the end and inserting “; and”;

(3) by adding at the end the following:

“(9) for carrying out the community assistance program for effective floodplain management under section 1326.”.