

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 328 Session of 2019

INTRODUCED BY WARREN, STRUZZI, MURT, HILL-EVANS, KORTZ,
READSHAW, DeLUCA, GILLEN AND T. DAVIS, FEBRUARY 1, 2019

AS REPORTED FROM COMMITTEE ON INSURANCE, HOUSE OF
REPRESENTATIVES, AS AMENDED, MARCH 18, 2019

AN ACT

1 Establishing the Flood Insurance Premium Assistance Task Force.

2 The General Assembly of the Commonwealth of Pennsylvania

3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the Flood

6 Insurance Premium Assistance Task Force Act.

7 Section 2. Findings.

8 The General Assembly finds that:

9 (1) Many communities within this Commonwealth have faced
10 devastating floods in recent years.

11 (2) The Biggert-Waters Flood Insurance Reform Act of
12 2012 (Public Law 112-141, 126 Stat. 916), which amended the
13 National Flood Insurance Act of 1968 (Public Law 90-448, 42
14 U.S.C. §§ 2414(e) and 4001 et seq.), has caused steep
15 increases in flood insurance premiums to pay for increased
16 spending in the Federal Emergency Management Agency's (FEMA)
17 flood disaster assistance program.

1 (3) In the past several years, FEMA has revised its
2 flood mapping to include many properties that previously did
3 not require flood insurance.

4 (4) Whole communities along Pennsylvania's rivers and
5 creeks could be devastated by plummeting property values due
6 to unaffordable flood insurance premiums.

7 Section 3. Flood Insurance Premium Assistance Task Force.

8 (a) Establishment.--The Flood Insurance Premium Assistance
9 Task Force is established.

10 (b) Membership.--The task force shall consist of the
11 following members, appointed within 25 days after the effective
12 date of this section:

13 (1) One member appointed by the Governor, who shall
14 serve as the chair of the task force.

15 (2) One member appointed by the Lieutenant Governor.

16 (3) One member appointed by the Director of the
17 Pennsylvania Emergency Management Agency.

18 (4) One member appointed by the Insurance Commissioner.

19 (5) One member appointed by the Secretary of Banking and
20 Securities.

21 (6) One member appointed by the Majority Leader of the
22 Senate.

23 (7) One member appointed by the Minority Leader of the
24 Senate.

25 (8) One member appointed by the Majority Leader of the
26 House of Representatives.

27 (9) One member appointed by the Minority Leader of the
28 House of Representatives.

29 (c) Conducting of business.--The task force shall conduct
30 its business as follows:

1 (1) The physical presence of a majority of the members
2 shall constitute a quorum of the task force.

3 (2) Action of the task force must be authorized or
4 ratified by a majority vote of its members.

5 (3) A member not physically present may participate by
6 teleconference or video conference.

7 (i) The first meeting shall be convened within 45
8 days of the effective date of this section. Additional
9 meetings may be called by the chair as necessary.

10 (ii) The chair shall schedule a meeting upon written
11 request of a two-thirds majority of the members of the
12 task force.

13 (iii) The task force shall hold public hearings as
14 necessary to obtain the information required to conduct
15 its review.

16 (iv) The Department of Community and Economic
17 Development, the Department of Conservation and Natural
18 Resources, the Department of Environmental Protection and
19 the Insurance Department shall cooperate to provide
20 administrative or other assistance to the task force.

21 (v) Members may not receive compensation but shall
22 be reimbursed for reasonable and necessary expenses
23 incurred in service of the task force.

24 (d) Powers and duties.--The task force shall have the
25 following powers and duties:

26 (1) To review and analyze the law, procedures,
27 practices, processes and rules relating to the administration
28 of flood insurance.

29 (2) To hold public hearings for the taking of testimony
30 and the requesting of documents.

1 (3) Through its chair, to administer oaths and
2 affirmations to witnesses appearing before the task force.

3 (4) To accept and review written comments from
4 individuals and organizations.

5 (5) To make, by no later than six months after the
6 effective date of this act, a final report to the Governor,
7 the Senate and the House of Representatives. In addition to
8 any information that the task force deems appropriate, the
9 report shall include recommendations regarding:

10 (i) potential programs that provide premium
11 discounts;

12 (ii) potential programs, whether through the
13 mechanism of premium discounts or other relief, that
14 create incentives for local governments to undertake or
15 continue flood mitigation efforts; ~~and~~ <--

16 (iii) the implementation of necessary changes in
17 State statutes and practices, policies and procedures
18 relating to the administration of flood insurance; <--

19 (IV) HOW TO EDUCATE RESIDENTS OF THIS COMMONWEALTH
20 ABOUT THE RISK OF FLOODING AND WAYS TO MITIGATE FLOOD
21 OCCURRENCES;

22 (V) STEPS THAT THE COMMONWEALTH SHOULD TAKE TO
23 INFORM RESIDENTS OF THIS COMMONWEALTH ABOUT THE OPTIONS
24 AVAILABLE TO THEM WHEN PURCHASING FLOOD INSURANCE; AND

25 (VI) HOW TO INCREASE THE NUMBER OF PEOPLE THAT
26 PURCHASE FLOOD INSURANCE, EITHER THROUGH THE NATIONAL
27 FLOOD INSURANCE PROGRAM OR THE PRIVATE FLOOD INSURANCE
28 MARKET.

29 (e) Report.--The report made under this act shall be:

30 (1) Adopted at a public meeting.

1 (2) A public record under the act of February 14, 2008
2 (P.L.6, No.3), known as the Right-to-Know Law.

3 (f) Expiration.--The task force shall expire 30 days after
4 making the final report to the Governor, the Senate and the
5 House of Representatives under subsection (d) (5).

6 Section 4. Effective date.

7 This act shall take effect in 60 days.