

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 442 Session of 2023

INTRODUCED BY SANTARSIERO, CAPPELLETTI, HUGHES, FONTANA, KANE, MUTH, COMITTA, COSTA, COLLETT AND DILLON, MARCH 14, 2023

SENATOR DiSANTO, BANKING AND INSURANCE, AS AMENDED, JUNE 27, 2023

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) In 2012, the Congress of the United States enacted
12 amendments to 42 U.S.C. §§ 2414(e) and 4001 et seq. (National
13 Flood Insurance Act of 1968) that have caused steep increases
14 in flood insurance premiums to pay for increased spending in
15 the Federal Emergency Management Agency's (FEMA) flood
16 disaster assistance program.

17 (3) In the past several years, FEMA has revised its

1 flood mapping to include many properties that previously did
2 not require flood insurance.

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

6 Section 3. Flood Insurance Premium Assistance Task Force.

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

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

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

14 ~~(2) One member appointed by the Lieutenant Governor.~~

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

17 ~~(4) One member appointed by the Insurance Commissioner.~~

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

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

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

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

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

28 (1) THE INSURANCE COMMISSIONER, OR A DESIGNEE WHO SHALL <--
29 BE AN EMPLOYEE OF THE INSURANCE DEPARTMENT APPOINTED BY THE
30 INSURANCE COMMISSIONER, SHALL BE THE CHAIR OF THE TASK FORCE.

1 (2) THE DIRECTOR OF THE PENNSYLVANIA EMERGENCY
2 MANAGEMENT AGENCY, OR A DESIGNEE WHO SHALL BE AN EMPLOYEE OF
3 THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY APPOINTED BY THE
4 DIRECTOR OF THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY.

5 (3) THE SECRETARY OF BANKING AND SECURITIES, OR A
6 DESIGNEE WHO SHALL BE AN EMPLOYEE OF THE DEPARTMENT OF
7 BANKING AND SECURITIES APPOINTED BY THE SECRETARY OF BANKING
8 AND SECURITIES.

9 (4) ONE MEMBER APPOINTED BY THE PRESIDENT PRO TEMPORE OF
10 THE SENATE.

11 (5) ONE MEMBER APPOINTED BY THE MINORITY LEADER OF THE
12 SENATE.

13 (6) ONE MEMBER APPOINTED BY THE SPEAKER OF THE HOUSE OF
14 REPRESENTATIVES.

15 (7) ONE MEMBER APPOINTED BY THE MINORITY LEADER OF THE
16 HOUSE OF REPRESENTATIVES.

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

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

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

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

25 (4) The first meeting shall be convened within 45 days
26 of the effective date of this section. Additional meetings
27 may be called by the chair as necessary.

28 (5) The chair shall schedule a meeting upon written
29 request of a two-thirds majority of the members of the task
30 force.

1 (6) The task force shall hold public hearings as
2 necessary to obtain the information required to conduct its
3 review.

4 (7) ALL MEETINGS AND HEARINGS HELD BY THE TASK FORCE <--
5 SHALL BE SUBJECT TO 65 PA.C.S. CH. 7 (RELATING TO OPEN
6 MEETINGS).

7 ~~(7)~~ (8) The Department of Community and Economic <--
8 Development, the Department of Conservation and Natural
9 Resources, the Department of Environmental Protection and the
10 Insurance Department shall cooperate to provide
11 administrative or other assistance to the task force.

12 ~~(8)~~ (9) Members may not receive compensation but shall <--
13 be reimbursed for reasonable and necessary expenses incurred
14 in service of the task force.

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

17 (1) To review and analyze the law, procedures,
18 practices, processes and rules relating to the administration
19 of flood insurance.

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

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

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

26 (5) To make, by no later than six months after the
27 effective date of this section, a final report to the
28 Governor, the Senate and the House of Representatives. In
29 addition to any information that the task force deems
30 appropriate, the report shall include recommendations

1 regarding:

2 (i) potential programs that provide premium
3 discounts;

4 (ii) potential programs, whether through the
5 mechanism of premium discounts or other relief, that
6 create incentives for local governments to undertake or
7 continue flood mitigation efforts;

8 (iii) the implementation of necessary changes in
9 State statutes and practices, policies and procedures
10 relating to the administration of flood insurance;

11 (iv) how to educate residents of this Commonwealth
12 about the risk of flooding and ways to mitigate flood
13 occurrences;

14 (v) steps that the Commonwealth should take to
15 inform residents of this Commonwealth about the options
16 available to them when purchasing flood insurance; and

17 (vi) how to increase the number of people that
18 purchase flood insurance, either through the National
19 Flood Insurance Program or the private flood insurance
20 market.

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

22 (1) Adopted at a public meeting.

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

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

28 Section 4. Effective date.

29 This act shall take effect in 60 days.