

Union Calendar No. 148

115TH CONGRESS
1ST SESSION

H. R. 2868

[Report No. 115-211]

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

JULY 11, 2017

Additional sponsors: Mrs. CAROLYN B. MALONEY of New York and Ms.
SLAUGHTER

JULY 11, 2017

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

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”.

6 **SEC. 2. CAP ON PREMIUMS.**

7 Paragraph (1) of section 1308(e) of the National
8 Flood Insurance Act of 1968 (42 U.S.C. 4015(e)(1)) is
9 amended—

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

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

13 (3) in subparagraph (C)—

14 (A) in clause (ii), by redesignating sub-
15 clauses (I) and (II) as items (aa) and (bb), re-
16 spectively;

17 (B) by redesignating clauses (i) through
18 (iii) as subclauses (I) through (III), respec-
19 tively; and

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

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

24 “(i) a property identified under section
25 1307(g); or

1 “(ii) a property that—”;

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

4 “(i) for any property”;

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

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

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

1 **SEC. 3. PREMIUM RATES FOR CERTAIN MITIGATED PROP-**
2 **ERTIES.**

3 (a) MITIGATION STRATEGIES.—Paragraph (1) of sec-
4 tion 1361(d) of the National Flood Insurance Act of 1968
5 (42 U.S.C. 4102(d)(1)) is amended—

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

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

10 (3) by inserting after subparagraph (B) the fol-
11 lowing new subparagraphs:

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

15 “(D) elevation of mechanical systems;
16 and”.

17 (b) MITIGATION CREDIT.—Subsection (k) of section
18 1308 of the National Flood Insurance Act of 1968 (42
19 U.S.C. 4015(k)) is amended—

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

22 “(1) take into account”;

23 (2) in paragraph (1), as so designated by the
24 amendment made by paragraph (1) of this sub-
25 section, by striking the period at the end and insert-
26 ing “; and”; and

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

3 “(2) offer a reduction of the risk premium rate
4 charged to a policyholder, as determined by the Ad-
5 ministrator, if the policyholder implements any miti-
6 gation method described in paragraph (1).”.

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

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

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