

116TH CONGRESS
2D SESSION

S. 3278

To modify the requirements for the Administrator of the Small Business Administration relating to declaring a disaster in a rural area, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 12, 2020

Mr. RISCH (for himself and Mrs. SHAHEEN) introduced the following bill; which was read twice and referred to the Committee on Small Business and Entrepreneurship

A BILL

To modify the requirements for the Administrator of the Small Business Administration relating to declaring a disaster in a rural area, 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 “Disaster Assistance
5 for Rural Communities Act”.

6 **SEC. 2. DISASTER DECLARATION IN RURAL AREAS.**

7 (a) IN GENERAL.—Section 7(b) of the Small Busi-
8 ness Act (15 U.S.C. 636(b)) is amended by inserting after
9 paragraph (15) the following:

1 “(16) DISASTER DECLARATION IN RURAL
2 AREAS.—

3 “(A) DEFINITIONS.—In this paragraph—

4 “(i) the term ‘rural area’ means an
5 area with a population of less than
6 200,000 outside an urbanized area; and

7 “(ii) the term ‘significant damage’
8 means, with respect to property, uninsured
9 losses of not less than 40 percent of the es-
10 timated fair replacement value or pre-dis-
11 aster fair market value of the damaged
12 property, whichever is lower.

13 “(B) DISASTER DECLARATION.—Notwith-
14 standing section 123.3(a) of title 13, Code of
15 Federal Regulations, or any successor regula-
16 tion, the Administrator may declare a disaster
17 in a rural area for which a major disaster was
18 declared by the President under section 401 of
19 the Robert T. Stafford Disaster Relief and
20 Emergency Assistance Act (42 U.S.C. 5170)
21 if—

22 “(i) the Governor of the State in
23 which the rural area is located requests
24 such a declaration; and

1 “(ii) any home, small business con-
2 cern, private nonprofit organization, or
3 small agricultural cooperative has incurred
4 significant damage in the rural area.

5 “(C) SBA REPORT.—Not later than 120
6 days after the date of enactment of this Act,
7 and every year thereafter, the Administrator
8 shall submit to the Committee on Small Busi-
9 ness and Entrepreneurship of the Senate and
10 the Committee on Small Business of the House
11 of Representatives a report on, with respect to
12 the 1-year period preceding submission of the
13 report—

14 “(i) any economic injury that resulted
15 from a major disaster declared by the
16 President under section 401 of the Robert
17 T. Stafford Disaster Relief and Emergency
18 Assistance Act (42 U.S.C. 5170) in a rural
19 area;

20 “(ii) each request for assistance made
21 by the Governor of a State under subpara-
22 graph (B)(i) and the response of the Ad-
23 ministrator, including the timeline for each
24 response; and

1 “(iii) any regulatory changes that will
2 impact the ability of communities in rural
3 areas to obtain disaster assistance under
4 this subsection.”.

5 (b) REGULATIONS.—Not later than 120 days after
6 the date of enactment of this Act, the Administrator of
7 the Small Business Administration shall issue regulations
8 to carry out the amendment made by subsection (a).

9 (c) GAO REPORT.—

10 (1) DEFINITION OF RURAL AREA.—In this sub-
11 section, the term “rural area” means an area with
12 a population of less than 200,000 outside an urban-
13 ized area.

14 (2) REPORT.—Not later than 120 days after
15 the date of enactment of this Act, the Comptroller
16 General of the United States shall submit to the
17 Committee on Small Business and Entrepreneurship
18 of the Senate and the Committee on Small Business
19 of the House of Representatives a report on—

20 (A) any unique challenges that commu-
21 nities in rural areas face compared to commu-
22 nities in metropolitan areas when seeking to ob-
23 tain disaster assistance under section 7(b) of
24 the Small Business Act (15 U.S.C. 636(b)); and

1 (B) legislative recommendations for im-
2 proving access to disaster assistance for com-
3 munities in rural areas.

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