

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3185

To amend the National Flood Insurance Act of 1968 to provide insurance benefits for elevating structures incurring serious damage from floods and increase the maximum coverage amounts under the national flood insurance program, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 29, 1993

Mr. TALENT introduced the following bill; which was referred to the  
Committee on Banking, Finance and Urban Affairs

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## A BILL

To amend the National Flood Insurance Act of 1968 to provide insurance benefits for elevating structures incurring serious damage from floods and increase the maximum coverage amounts under the national flood insurance program, 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 “Flood Insurance Re-  
5 form and Relief Act of 1993”.

1 **SEC. 2. LIMITATION ON ELEVATION REQUIREMENTS FOR**  
2 **FLOOD-DAMAGED STRUCTURES UNDER LAND**  
3 **MANAGEMENT AND USE CRITERIA.**

4 Section 1361 of the National Flood Insurance Act of  
5 1968 (42 U.S.C. 4102) is amended by adding at the end  
6 the following new subsection:

7 “(d) Notwithstanding any other provision of this title,  
8 the criteria established under this section may require the  
9 adoption of a State or local measure that requires a struc-  
10 ture sustaining damage caused by floods to be elevated  
11 to or above the level of the 100-year frequency flood only  
12 if the measure applies only to structures sustaining dam-  
13 age for which the cost of repairing the structure to its  
14 condition before such damage would equal or exceed 75  
15 percent of the value of the structure before the damage  
16 occurred.”.

17 **SEC. 3. MAXIMUM FLOOD INSURANCE COVERAGE**  
18 **AMOUNTS.**

19 (a) **MAXIMUM COVERAGE AMOUNTS.**—Section  
20 1306(b) of the National Flood Insurance Act of 1968 (42  
21 U.S.C. 4013(b)) is amended as follows:

22 (1) **RESIDENTIAL PROPERTIES.**—In paragraph  
23 (2), by striking “so as to enable” and all that fol-  
24 lows through the end of the paragraph and inserting  
25 “up to an amount (including the limits specified in

1 paragraph (1)(A)(i) of \$250,000 multiplied by the  
2 number of dwelling units in the building;”.

3 (2) CONTENTS OF RESIDENTIAL PROP-  
4 ERTIES.—In paragraph (3), by striking “so as to en-  
5 able” and all that follows through the end of the  
6 paragraph and inserting “up to an amount (includ-  
7 ing the limits specified in paragraph (1)(A)(ii) of  
8 \$100,000 for any single-family dwelling and  
9 \$250,000 for any residential structure containing  
10 more than one dwelling unit;”.

11 (3) NONRESIDENTIAL PROPERTIES.—By strik-  
12 ing paragraph (4) and inserting the following new  
13 paragraph:

14 “(4) in the case of any nonresidential property,  
15 including churches, for which the risk premium rate  
16 is determined in accordance with the provisions of  
17 section 1307(a)(1), additional flood insurance in ex-  
18 cess of the limits specified in subparagraphs (B) and  
19 (C) of paragraph (1) shall be made available to  
20 every insured upon renewal and every applicant for  
21 insurance up to an amount (including the limits  
22 specified in subparagraphs (B) and (C) of paragraph  
23 (1)) of \$2,500,000 for each structure and  
24 \$1,000,000 for any contents related to each struc-  
25 ture; and”.

1 (b) ELIMINATION OF CEILING ON REQUIRED COV-  
2 ERAGE AMOUNT.—Section 1306(b) of the National Flood  
3 Insurance Act of 1968 (42 U.S.C. 4013(b)) is amended—

4 (1) in paragraph (5), by striking “; and” at the  
5 end and inserting a period; and

6 (2) by striking paragraph (6).

7 **SEC. 4. EFFECTIVE DATE OF FLOOD INSURANCE POLICIES.**

8 Section 1306 of the National Flood Insurance Act of  
9 1968 (42 U.S.C. 4013) is amended by adding at the end  
10 the following new subsection:

11 “(d) EFFECTIVE DATE OF FLOOD INSURANCE POLI-  
12 CIES.—Notwithstanding any law, regulation, or provision  
13 of a contract for flood insurance coverage under this title  
14 relating to the time of the effectiveness of such contract,  
15 the Director shall provide that a new contract for flood  
16 insurance coverage (or any modification of a contract for  
17 flood insurance coverage) entered into on or after July 15,  
18 1993, shall be considered to have taken effect upon the  
19 satisfactory completion of the application for such cov-  
20 erage, payment of any initial premiums owed, and the ful-  
21 fillment of any other obligations for such coverage, but  
22 only if the insured under the contract demonstrates to the  
23 satisfaction of the Director that the insured would have  
24 entered into (or increased coverage under) a flood insur-  
25 ance contract under this title earlier than the time of such

- 1 fulfillment of obligations but for erroneous information
- 2 provided to such person by officers or employees of the
- 3 Federal Emergency Management Agency.”.

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