

110TH CONGRESS
2D SESSION

H. R. 7288

To allow flood insurance coverage under the national flood insurance program for new structures designed to protect public safety that are located in special flood hazard zones, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 19, 2008

Ms. MATSUI introduced the following bill; which was referred to the
Committee on Financial Services

A BILL

To allow flood insurance coverage under the national flood insurance program for new structures designed to protect public safety that are located in special flood hazard zones, 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 “Public Safety En-
5 hancement Act of 2008”.

1 **SEC. 2. EXCEPTION TO PROHIBITION OF INSURANCE FOR**
2 **PROPERTIES IN VIOLATION OF STATE AND**
3 **LOCAL LAWS REGARDING DEVELOPMENT IN**
4 **FLOOD-PRONE AREAS.**

5 Section 1316 of the National Flood Insurance Act of
6 1968 (42 U.S.C. 4023) is amended by inserting “, other
7 than a qualified public safety structure (as such term is
8 defined in section 1370(a)),” after “for any property”.

9 **SEC. 3. DEFINITIONS.**

10 Subsection (a) of section 1370 of the National Flood
11 Insurance Act of 1968 (42 U.S.C. 40121) is amended—

12 (1) in paragraph (14), by striking “and” at the
13 end;

14 (2) in paragraph (15), by striking the period at
15 the end and inserting “; and”; and

16 (3) by adding at the end the following new
17 paragraph:

18 “(16) The term ‘qualified public safety struc-
19 ture’ means any of the following structures:

20 “(A) A structure that is used in providing
21 a public safety service, which shall include po-
22 lice and firefighting services.

23 “(B) A structure that—

24 “(i)(I) is newly constructed on the
25 same site of a structure that was destroyed
26 or damaged, at no fault of the owner, dur-

1 ing any period during which the site of
2 such structure is located within an area
3 designated as having special flood hazards;
4 and

5 “(II) does not exceed the size, by
6 square footage, of the destroyed or dam-
7 aged structure; or

8 “(ii) is substantially improved pursu-
9 ant to destruction or damage that oc-
10 curred, at no fault of the owner, during
11 any period during which the site of such
12 structure is located within an area des-
13 igned as having special flood hazards.

14 “(C) A newly constructed structure that—

15 “(i) is located on the same property
16 as a structure that was removed through
17 use of eminent domain by the Federal Gov-
18 ernment or any State or local government;
19 and

20 “(ii) does not exceed the size, by
21 square footage, of the structure so re-
22 moved.”.

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