


[117H3414]

  
(Original Signature of Member)

118TH CONGRESS  
1ST SESSION

# H. R. \_\_\_\_\_

To repeal the mandatory flood insurance coverage requirement for commercial properties located in flood hazard areas, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

Mr. LUETKEMEYER introduced the following bill; which was referred to the Committee on \_\_\_\_\_

# A BILL

To repeal the mandatory flood insurance coverage requirement for commercial properties located in flood hazard areas, 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. OPT-OUT OF MANDATORY COVERAGE REQUIRE-**  
4 **MENT FOR COMMERCIAL PROPERTIES.**

5 (a) AMENDMENTS TO FLOOD DISASTER PROTECTION  
6 ACT OF 1973.—The Flood Disaster Protection Act of  
7 1973 is amended—

8 (1) in section 3(a) (42 U.S.C. 4003(a))—

1 (A) in paragraph (10), by striking “and”  
2 at the end;

3 (B) in paragraph (11), by striking the pe-  
4 riod at the end and inserting “; and”; and

5 (C) by adding at the end the following new  
6 paragraph:

7 “(12) ‘residential improved real estate’ means  
8 improved real estate that—

9 “(A) is primarily used for residential pur-  
10 poses, as defined by the Federal entities for  
11 lending regulation; and

12 “(B) secures financing or financial assist-  
13 ance provided through a federally related single  
14 family loan program, as defined by the Federal  
15 entities for lending regulation.”; and

16 (2) in section 102 (42 U.S.C. 4012a)—

17 (A) in subsection (b)—

18 (i) in paragraph (1)(A)—

19 (I) by inserting “residential” be-  
20 fore “improved real estate”; and

21 (II) by inserting “residential” be-  
22 fore “building or mobile home”;

23 (ii) in paragraph (2)—

24 (I) by inserting “residential” be-  
25 fore “improved real estate”; and

1 (II) by inserting “residential” be-  
2 fore “building or mobile home”; and  
3 (iii) in paragraph (3)—

4 (I) in subparagraph (A), by in-  
5 serting “residential” before “improved  
6 real estate”; and

7 (II) in the matter after and  
8 below subparagraph (B), by inserting  
9 “residential” before “building or mo-  
10 bile home”;

11 (B) in subsection (c)(3), by striking “, in  
12 the case of any residential property, for any  
13 structure that is a part of such property” and  
14 inserting “for any structure that is part of a  
15 residential property”;

16 (C) in subsection (e)—

17 (i) in paragraph (1)—

18 (I) by inserting “residential” be-  
19 fore “improved real estate”; and

20 (II) by inserting “residential” be-  
21 fore “building or mobile home” each  
22 place such term appears; and

23 (ii) in paragraph (5)—

24 (I) in subparagraph (A)—

1 (aa) by inserting “residen-  
2 tial” before “improved real es-  
3 tate” each place such term ap-  
4 pears; and

5 (bb) by inserting “residen-  
6 tial” before “building or mobile  
7 home” each place such term ap-  
8 pears;

9 (II) in subparagraph (B), by in-  
10 serting “residential” before “building  
11 or mobile home” each place such term  
12 appears; and

13 (III) in subparagraph (C), by in-  
14 serting “residential” before “building  
15 or mobile home”; and

16 (D) in subsection (h)—

17 (i) by inserting “residential” before  
18 “improved real estate” each place such  
19 term appears; and

20 (ii) in the matter preceding paragraph  
21 (1), by inserting “residential” before  
22 “building or mobile home”.

23 (b) AMENDMENTS TO NATIONAL FLOOD INSURANCE  
24 ACT OF 1968.—The National Flood Insurance Act of  
25 1968 is amended—

1 (1) in section 1364(a) (42 U.S.C. 4104a(a))—

2 (A) in paragraph (1), by inserting “resi-  
3 dential” before “improved real estate”;

4 (B) in paragraph (2), by inserting “resi-  
5 dential” before “improved real estate”; and

6 (C) in paragraph (3)(A), by inserting “resi-  
7 dential” before “building”;

8 (2) in section 1365 (42 U.S.C. 4104b)—

9 (A) in subsection (a)—

10 (i) by inserting “residential” before  
11 “improved real estate”; and

12 (ii) by inserting “residential” before  
13 “building”;

14 (B) in subsection (b)(2)—

15 (i) by inserting “residential” before  
16 “building” each place such term appears;  
17 and

18 (ii) by inserting “residential” before  
19 “improved real estate” each place such  
20 term appears;

21 (C) in subsection (d), by inserting “resi-  
22 dential” before “improved real estate” each  
23 place such term appears; and

24 (D) in subsection (e)—

1 (i) by inserting “residential” before  
2 “improved real estate”; and

3 (ii) by inserting “residential” before  
4 “building” each place such term appears;  
5 and

6 (3) in section 1370 (42 U.S.C. 4121)—

7 (A) in paragraph (8), by inserting “resi-  
8 dential” before “improved real estate”;

9 (B) by redesignating paragraphs (14) and  
10 (15) as paragraphs (15) and (16), respectively;  
11 and

12 (C) by inserting after paragraph (13) the  
13 following new paragraph:

14 “(14) the term ‘residential improved real estate’  
15 means improved real estate that—

16 “(A) is primarily used for residential pur-  
17 poses, as defined by the Federal entities for  
18 lending regulation; and

19 “(B) secures financing or financial assist-  
20 ance provided through a federally related single  
21 family loan program, as defined by the Federal  
22 entities for lending regulation;”.

23 (e) RULE OF CONSTRUCTION.—This section and the  
24 amendments made by this section may not be construed  
25 to prohibit the Administrator of the Federal Emergency

1 Management Agency from offering flood insurance cov-  
2 erage under the National Flood Insurance Program for  
3 eligible non-residential properties, other residential multi-  
4 family properties, or structures financed with commercial  
5 loans, or to prohibit the purchase of such coverage for  
6 such eligible properties.