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(Original Signature of Member)

116TH 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.

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 sserting “residential” before “building
11 or mobile home” each place such term
12 appears; and

13 (III) in subparagraph (C), by in-
14 sserting “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 “res-
7 idential” 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 (c) 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.