

## **SUMMARY OF KEY PROVISIONS OF FLOOD INSURANCE REFORM** *21<sup>st</sup> Century Flood Reform*

Reauthorize the National Flood Insurance Program (NFIP) for five (5) years, place the NFIP on sound financial footing, and institute new programmatic reforms that:

1. **Address Consumer Cost and Affordability**
2. **Provide Greater Private Market Access, Competition, and Consumer Choice**
3. **Encourage Flood Mapping Reforms and Fairness**
4. **Enhance Mitigation Efforts for Properties that Flood Frequently**
5. **Strengthen Taxpayer Protections**
6. **Implement NFIP Claims Processing and Superstorm Sandy Reforms**

**Reform the Flood Mapping Process** – *Communities need increased accuracy and fairness of flood mapping.*

➤ **Allow for the Acceptance of Community Flood Maps.**

Using the text of the Luetkemeyer Taxpayer Exposure Mitigation Act [H.R. 2246], allow localities to elect to use their own resources to develop their own alternatives to NFIP flood maps. Require the FEMA Administrator and the Technical Mapping Advisory Council to develop minimum standards for flood maps developed by communities for those areas, subject to certification and approval by FEMA.

➤ **Use of Other Risk Assessment Tools in Determining Premium Rates.**

Require the FEMA Administrator to use other risk assessment tools, including risk assessment scores, in addition to applicable flood rate maps when determining annual chargeable premium rates.

➤ **Streamlining of Flood Map Process.**

Require the FEMA Administrator to consult with the Technical Mapping Advisory Council to (1) optimize NFIP mapping through a more efficient process; (2) minimize any cost, data, and paperwork requirements; and, (3) assist communities, particularly small communities, in locating resources to appeal flood elevations and flood hazard designations. The FEMA Administrator is to report to Congress within one year of enactment regarding the streamlining efforts outlined in this provision.

➤ **Appeals Regarding Existing Flood Maps.**

Create a new appeals process for States, local governments, or the owners or lessees of real property for whom FEMA has denied a request to update their FEMA-created map to appeal that decision based on new information regarding base flood elevation levels or other flood mitigating factors. The initial appeals process would be through an agency administrative process, with the possibility of a further appeal to the Scientific Resolution Panel. In cases where the appeal is wholly or partially successful, affected policyholders can cancel an impacted policy and are entitled to a refund on their premiums. Moreover, the appellant is entitled to recover reasonable costs for the successful appeal, not to include legal or contingency fees.

*Expanded Discussion Draft*

➤ Appeals and Publication of Projected Special Flood Hazard Areas.

Clarify that the owner or lessee of real estate adversely affected by the FEMA Administrator's determination of flood elevations and special hazard areas may appeal such determination no later than 90 days after the date of the second publication of a flood insurance rate map. Moreover, this provision clarifies that the FEMA Administrator's determination will become final if there are no appeals during the 90 day period following that second publication.

➤ Communication and Outreach Regarding Map Changes.

Give FEMA the ability to expedite the required community notification layover period for communities that wish to accelerate their mapping approval process.