



**H.R. 1035 – To require a study of voluntary community-based flood insurance options and how such options could be incorporated into the national flood insurance program, and for other purposes.**  
*(Moore, D-WI)*

**Order of Business:** The legislation is scheduled to be considered under suspension of the rules on Tuesday, March 12, 2013. The bill will require two-thirds majority vote for passage, and provides forty minutes of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services.

**Summary:** H.R. 1035 will require a study of voluntary community-based flood insurance options and how such options could be incorporated into the national flood insurance program, and for other purposes. The legislation will require the Federal Emergency Management Agency (FEMA) Administrator to conduct a study to assess options, methods, and strategies for making available voluntary community-based flood insurance policies through the National Flood Insurance Program.

The study conducted shall:

- take into consideration and analyze how voluntary community-based flood insurance policies:
  - would affect communities having varying economic bases, geographic locations, flood hazard characteristics or classifications, and flood management approaches; and
  - could satisfy the applicable requirements under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a); and
- evaluate the advisability of making available voluntary community-based flood insurance policies to communities, subdivisions of communities, and areas of residual risk.

In conducting the study, the Administrator may consult with the Comptroller General of the United States, as the Administrator determines is appropriate. The legislation requires that not later than 18 months after the date of enactment of this Act, the Administrator shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that contains the results and conclusions of the study conducted. The report submitted shall include recommendations for:

- the best manner to incorporate voluntary community-based flood insurance policies into the National Flood Insurance Program; and

- a strategy to implement voluntary community-based flood insurance policies that would encourage communities to undertake flood mitigation activities, including the construction, reconstruction, or improvement of levees, dams, or other flood control structures.

The legislation requires that not later than 6 months after the date on which the Administrator submits the report, the Comptroller General of the United States shall:

- review the report submitted by the Administrator; and
- submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that contains:
  - an analysis of the report submitted by the Administrator;
  - any comments or recommendations of the Comptroller General relating to the report submitted by the Administrator; and
  - any other recommendations of the Comptroller General relating to community based flood insurance policies.

**Committee Action:** The legislation was introduced by Rep. Gwen Moore on March 7, 2013, and was referred to the House Committee on Financial Services.

**Administration Position:** No statement of administration position was available at the time of this release.

**Cost to Taxpayers:** No CBO report was available at the time of this release. CBO reports may be located [here](#).

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Contain Any Federal Encroachment into State or Local Authority in Potential Violation of the 10<sup>th</sup> Amendment?:** No.

**Does the Bill Delegate Any Legislative Authority to the Executive Branch?:** No.

**Does the Bill Contain Any Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** An earmarks/revenue benefits statement required under House Rule XXI, Clause 9(a) was not available at press time.

**What Is the Constitutional Authority for the Legislation:** According to the statement of Constitutional Authority provided by Rep. Moore, “Congress has the power to enact this legislation pursuant to the following: Article I, Section 8.”

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\*\*After Tuesday, please contact the RSC Policy Director at [brett.horton@mail.house.gov](mailto:brett.horton@mail.house.gov) for any questions regarding this legislation.