

1 most current federal law available to them, and in conformity with current flood insurance
2 rate maps; and

3 WHEREAS, countless Louisiana property owners have built and purchased homes
4 and businesses in accordance with the current flood rate insurance maps which, under the
5 provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, will soon enter
6 obsolescence; and

7 WHEREAS, the act also includes provisions, located in Section 207 of such act, that
8 eliminate the "grandfathering" of homes that were built after the existing flood insurance rate
9 maps in accordance with then existing laws; and

10 WHEREAS, by purchasing homes and businesses in accordance with the provisions
11 of the former flood rate insurance maps and by investing in previously owned property to
12 install flood mitigation features, Louisiana property owners relied on their strict compliance
13 with federal and state law to protect their purchases and investments; and

14 WHEREAS, in light of the provisions of the Biggert-Waters Flood Insurance Reform
15 Act of 2012, the reliance on existing flood insurance rate maps that those property owners
16 demonstrated is now to their personal and financial detriment; and

17 WHEREAS, the passage of the Biggert-Waters Flood Insurance Reform Act
18 substantially and immediately devalued the investments made in all properties endowed with
19 flood damage mitigation measures and to properties receiving subsidized insurance premium
20 rates; and

21 WHEREAS, the Biggert-Waters Flood Insurance Reform Act also includes
22 provisions that permit the National Flood Insurance Program to increase premium rates for
23 many policyholders; and

24 WHEREAS, the elimination of these discounts combined with the certainty of
25 general premium rate increases will result in a premium increase of up to twenty-five percent
26 per year for certain Louisiana property owners over the next four years; and

27 WHEREAS, under the changes to the National Flood Insurance Program caused by
28 the Bigger-Waters Flood Insurance Reform Act, Louisiana property owners will struggle to
29 pay exorbitant amounts of money or will lose their flood insurance; and

1 WHEREAS, a change in the ability of Louisiana property owners to insure their
2 homes from flood damage without bearing the burden of such a violent rise in cost may lead
3 to financial distress for Louisiana residents and property owners and countless other property
4 owners around this nation; and

5 WHEREAS, the premium increases to the National Flood Insurance Program, as
6 mandated by the Biggert-Waters Flood Insurance Reform Act, will affect the entire nation's
7 real estate market; and

8 WHEREAS, the premium increases to the National Flood Insurance Program, as
9 mandated by the Biggert-Waters Flood Insurance Reform Act, will affect the nation's
10 banking and mortgage industry; and

11 WHEREAS, the premium increases to communities and property owners who made
12 their best efforts to comply with federal law by building property in accordance with soon
13 to be outdated flood insurance rate maps will affect consumer confidence and the entire
14 nation's economy; and

15 WHEREAS, on May 21, 2013, the Strengthen, Modernize and Reform the National
16 Flood Insurance Program Act (SMART NFIP) was introduced by Senator Mary Landrieu
17 to address the flaws of the Biggert-Waters Flood Insurance Reform Act; and

18 WHEREAS, SMART NFIP, if passed, would delay premium increases, repeal
19 provisions preventing new owners of sold homes to continue subsidized rates, and allow the
20 rebuilding of key community facilities destroyed in a disaster that lie in velocity zones; and

21 WHEREAS, on May 23, 2013, the Flood Insurance Implementation Reform Act of
22 2013 was introduced by Congressman Cedric Richmond in an effort to also address flaws
23 of the Biggert-Waters Flood Insurance Reform Act; and

24 WHEREAS, the Flood Insurance Implementation Reform Act is co-sponsored by
25 Congressmen Bill Cassidy, Rodney Alexander, Charles Boustany, and Congresswomen
26 Doris Matsui and Maxine Waters; and

27 WHEREAS, the Flood Insurance Implementation Reform Act, would, if passed, in
28 some cases delay, up to five years, major components of the Biggert-Waters Flood Insurance
29 Reform Act, including delaying the increasing of rates previously "grandfathered"; and

1 WHEREAS, these instruments would address many of the concerns addressed herein;
2 and

3 WHEREAS, the United States Congress should consider the passage of the
4 Strengthen, Modernize and Reform and National Flood Insurance Program Act and the
5 Flood Insurance Implementation Reform Act of 2013, or, should neither of these acts pass,
6 the United States Congress should consider the amendment or the repeal of Section 205,
7 Section 207, and all such sections of the Biggert-Waters Flood Insurance Reform Act which
8 provide for the increase of premium fees for policyholders of the National Flood Insurance
9 Program, in order to prevent the unduly hazardous effects it will have on home and business
10 owners who invested in property prior to the adoption of the new federal legislation and
11 flood insurance rate maps.

12 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
13 memorialize the United States Congress to take such actions as are necessary to undertake
14 the amendment or repeal of all relevant provisions of the Biggert-Waters Flood Insurance
15 Reform Act of 2012, including passage of the Strengthen, Modernize and Reform the
16 National Flood Insurance Program Act and the Flood Insurance Implementation Reform Act
17 of 2013.

18 BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby
19 memorialize the United States Congress to, in the absence of the amendment or repeal of all
20 relevant provisions of this Act, suspend adoption of new flood insurance rate maps in order
21 to allow communities with a substantial percentage of participation in the National Flood
22 Insurance Program to work with the Federal Emergency Management Agency and the
23 National Flood Insurance Program to provide for the creation of new flood insurance rate
24 maps which do not unjustly and inequitably dispose of the rights created under existing rate
25 maps.

26 BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby
27 memorialize the United States Congress to, in the absence of the amendment or repeal of all
28 relevant provisions of this Act, provide for a one-year period during which time property
29 owners, in conjunction with the Federal Emergency Management Agency and the National
30 Flood Insurance Program, may enter a special enrollment period wherein property owners

1 may sign up or renew their current National Flood Insurance Program policy using the
2 current flood insurance rate maps on which they relied to purchase and build their homes and
3 businesses.

4 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
5 presiding officers of the Senate and the House of Representatives of the Congress of the
6 United States of America and to each member of the Louisiana congressional delegation.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Leopold

HCR No. 141

Memorializes congress to amend or repeal certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012 and to consider passing the Strengthen, Modernize and Reform the National Flood Insurance Program Act and the Flood Insurance Implementation Reform Act of 2013.

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill.

1. Memorializes congress to consider passing the Strengthen, Modernize and Reform the National Flood Insurance Program Act and the Flood Insurance Implementation Reform Act of 2013.