

Regular Session, 2013

HOUSE CONCURRENT RESOLUTION NO. 60

BY REPRESENTATIVE MILLER AND SENATOR GARY SMITH

CONGRESS: Memorializes congress regarding the National Flood Insurance Program as recent changes affect St. Charles Parish

1                                    A CONCURRENT RESOLUTION

2 To memorialize the United States Congress to take such actions as are necessary to preclude  
3 or delay the increase in premium fees for the National Flood Insurance Program until  
4 further study can be done, in order to prevent unintended adverse consequences on  
5 the residents of St. Charles Parish and the value of their homes.

6 WHEREAS, the National Flood Insurance Program provides important and necessary  
7 property coverage in the event of flooding for homeowners in St. Charles Parish; and

8 WHEREAS, President Barack Obama signed the Biggert-Waters Flood Insurance  
9 Reform Act into law on July 6, 2012; and

10 WHEREAS, St. Charles Parish is currently in the process of adopting the revised  
11 version of the Flood Insurance Rate Maps; and

12 WHEREAS, many homeowners of St. Charles Parish constructed and purchased  
13 homes in areas based on the existing version of the Flood Insurance Rate Maps which met  
14 or exceeded current base flood elevation requirements; and

15 WHEREAS, many homeowners of St. Charles Parish have benefitted from locally  
16 built and maintained flood control features, including functional levees, which have  
17 protected the residents of these areas from flooding for decades; and

18 WHEREAS, the existing version of the Flood Insurance Rate Maps took into  
19 consideration the benefits provided by the locally built and maintained flood control  
20 features; and

21 WHEREAS, the proposed revised version of the Flood Insurance Rate Maps do not  
22 account for this important source of functional flood protection; and

1           WHEREAS, the Biggert-Waters Flood Insurance Act includes provisions that permit  
2 the National Flood Insurance Program to increase premium rates for certain policyholders;  
3 and

4           WHEREAS, the increase of such risk-based premium rates is anticipated to result in  
5 a total premium increase of between twenty percent to twenty-five percent per year for  
6 certain homeowners, during each of the next five years; and

7           WHEREAS, certain areas of St. Charles Parish will experience extreme, sudden, and  
8 unaffordable increases in flood insurance premiums that may lead to personal bankruptcy  
9 and foreclosure; and

10          WHEREAS, the effects of the Biggert-Waters Flood Insurance Reform Act and the  
11 revised version of the Flood Insurance Rate Maps would have significant consequences on  
12 the housing market and economic health of St. Charles Parish; and

13          WHEREAS, the Biggert-Waters Flood Insurance Reform Act also includes  
14 provisions, located in Section 207 of such act, that eliminate the "grandfathering" of homes  
15 that were built after the existing Flood Insurance Rate Maps in accordance with then existing  
16 laws; and

17          WHEREAS, coverage by the National Flood Insurance Program is necessary for the  
18 affected homeowners; and

19          WHEREAS, the Biggert-Waters Flood Insurance Reform Act also includes  
20 provisions which require the Federal Emergency Management Agency to conduct a study  
21 on ways to educate consumers about the National Flood Insurance Program and flood risks  
22 and to encourage consumer participation; and

23          WHEREAS, such study shall also research the effects of increased premiums on low-  
24 income homeowners and ways to assist such homeowners to afford the increased premiums;  
25 and

26          WHEREAS, the Act directs the Federal Emergency Management Agency to  
27 conclude its study and to issue a report by April 6, 2013; and

28          WHEREAS, such study is currently still in progress; and

29          WHEREAS, the Federal Emergency Management Agency has yet to create a report  
30 based upon the findings of such study; and

1 WHEREAS, increased premiums as a result of the Biggert-Waters Flood Insurance  
2 Reform Act will have a significant effect on low-income homeowners; and

3 WHEREAS, congress should consider the amendment or repeal of Section 207 of  
4 the Biggert-Waters Flood Insurance Reform Act to take into account its effects on homes  
5 that were built after the adoption of existing Flood Insurance Rate Maps in accordance with  
6 then existing laws.

7 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby  
8 memorialize the United States Congress to take such actions as are necessary to direct the  
9 National Flood Insurance Program to delay increasing premium rates until such time as the  
10 Federal Emergency Management Agency has released its report and congress has had time  
11 to study such report, in order to prevent unintended consequences on the residents of St.  
12 Charles Parish and the value of their properties.

13 BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby  
14 memorialize the United States Congress to consider the amendment or repeal of Section 207  
15 of the Biggert-Waters Flood Insurance Reform Act in order to take into account its effects  
16 on homes that were built after the adoption of existing Flood Insurance Rate Maps in  
17 accordance with then existing laws.

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

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#### 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)]

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Miller

HCR No. 60

Memorializes congress to direct the National Flood Insurance Program to refrain from implementing any premium increases, in accordance with the Biggert-Waters Flood Insurance Reform Act, prior to the release of the Federal Emergency Management Agency's report on consumer education on flood insurance issues.