HLS 13RS-2671 ORIGINAL

Regular Session, 2013

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HOUSE CONCURRENT RESOLUTION NO. 141

BY REPRESENTATIVES LEOPOLD, ARNOLD, BERTHELOT, BROSSETT, CHAMPAGNE, DIXON, LEGER, LORUSSO, MILLER, WHITNEY, AND WILLMOTT

INSURANCE/FLOOD: Memorializes congress in opposition to the Biggert-Waters Flood Insurance Reform Act of 2012

A CONCURRENT RESOLUTION

2	To memorialize the United States Congress to take such actions as are necessary to amend
3	or repeal Section 205, Section 207, and any other section of the federal Biggert-
4	Waters Flood Insurance Reform Act of 2012 which provides for new flood insurance
5	rate maps or for the increase of premium fees for policyholders of the National Flood
6	Insurance Program.
7	WHEREAS, the National Flood Insurance Act of 1968 was enacted to provide
8	previously unavailable flood insurance protection to property owners; and
9	WHEREAS, the National Flood Insurance Program continues to provide important
10	and necessary property coverage for home and business owners throughout various
11	Louisiana parishes, as well as counties and communities nationwide; and
12	WHEREAS, the Biggert-Waters Flood Insurance Reform Act of 2012 was signed
13	into law on July 6, 2012; and
14	WHEREAS, the act calls for a revision of the flood insurance rate maps; and
15	WHEREAS, such revised flood insurance rate maps do not include the discounts
16	granted by the current rate maps to property owners who have taken action to mitigate
17	property damage by installing and maintaining flood control features, in conformity with the
18	most current federal law available to them, and in conformity with current flood insurance
19	rate maps; and

1	WHEREAS, countless Louisiana property owners have built and purchased homes
2	and businesses in accordance with the current flood rate insurance maps which, under the
3	provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, will soon enter
4	obsolescence; and
5	WHEREAS, the act also includes provisions, located in Section 207 of such act, that
6	eliminate the "grandfathering" of homes that were built after the existing flood insurance rate
7	maps in accordance with then existing laws; and
8	WHEREAS, by purchasing homes and businesses in accordance with the provisions
9	of the former flood rate insurance maps and by investing in previously owned property to
10	install flood mitigation features, Louisiana property owners relied on their strict compliance
11	with federal and state law to protect their purchases and investments; and
12	WHEREAS, in light of the provisions of the Biggert-Waters Flood Insurance Act of
13	2012, the reliance on existing flood insurance rate maps that those property owners
14	demonstrated is now to their personal and financial detriment; and
15	WHEREAS, the passage of the Biggert-Waters Flood Insurance Reform Act
16	substantially and immediately devalued the investments made in all properties endowed with
17	flood damage mitigation measures and to properties receiving subsidized insurance premium
18	rates; and
19	WHEREAS, the Biggert-Waters Flood Insurance Act also includes provisions that
20	permit the National Flood Insurance Program to increase premium rates for many
21	policyholders; and
22	WHEREAS, the elimination of these discounts combined with the certainty of
23	general premium rate increases will result in a premium increase of up to twenty-five percent
24	per year for certain Louisiana property owners over the next four years; and
25	WHEREAS, under the changes to the National Flood Insurance Program caused by
26	the Bigger-Waters Flood Insurance Reform Act, Louisiana property owners will struggle to
27	pay exorbitant amounts of money or will lose their flood insurance; and
28	WHEREAS, a change in the ability of Louisiana property owners to insure their
29	homes from flood damage without bearing the burden of such a violent rise in cost may lead

1 to financial distress for Louisiana residents and property owners and countless other property 2 owners around this nation; and 3 WHEREAS, the premium increases to the National Flood Insurance Program, as 4 mandated by the Biggert-Waters Flood Insurance Reform Act, will affect the entire nation's 5 real estate market; and 6 WHEREAS, the premium increases to the National Flood Insurance Program, as 7 mandated by the Biggert-Waters Flood Insurance Reform Act, will affect the nation's 8 banking and mortgage industry; and 9 WHEREAS, the premium increases to communities and property owners who made 10 their best efforts to comply with federal law by building property in accordance with soon 11 to be outdated flood insurance rate maps will affect consumer confidence and the entire 12 nation's economy; and 13 WHEREAS, the United States Congress should consider the amendment or the repeal 14 of Section 205, Section 207, and all such sections of the Biggert-Waters Flood Insurance 15 Reform Act which provide for the increase of premium fees for policyholders of the National 16 Flood Insurance Program, in order to prevent the unduly hazardous effects it will have on 17 home and business owners who invested in property prior to the adoption of the new federal 18 legislation and flood insurance rate maps. 19 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby 20 memorialize the United States Congress to take such actions as are necessary to undertake 21 the amendment or repeal of all relevant provisions of the Biggert-Waters Flood Insurance 22 Reform Act of 2012. 23 BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby 24 memorialize the United States Congress to, in the absence of the amendment or repeal of all 25 relevant provisions of this Act, suspend adoption of new flood insurance rate maps in order 26 to allow communities with a substantial percentage of participation in the National Flood 27 Insurance Program to work with the Federal Emergency Management Agency and the 28 National Flood Insurance Program to provide for the creation of new flood insurance rate

maps which do not unjustly and inequitably dispose of the rights created under existing rate

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maps.

1 BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby 2 memorialize the United States Congress to, in the absence of the amendment or repeal of all 3 relevant provisions of this Act, provide for a one-year period during which time property 4 owners, in conjunction with the Federal Emergency Management Agency and the National 5 Flood Insurance Program, may enter a special enrollment period wherein property owners 6 may sign up or renew their current National Flood Insurance Program policy using the 7 current flood insurance rate maps on which they relied to purchase and build their homes and 8 businesses. 9 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the 10 presiding officers of the Senate and the House of Representatives of the Congress of the 11 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.