

113TH CONGRESS
1ST SESSION

H. R. 3218

To delay increases in flood insurance premium rates under the national flood insurance program until completion of the pending study regarding the affordability of such rates and congressional consideration of reforms to make such rates affordable, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 2013

Mr. NUGENT (for himself, Ms. CASTOR of Florida, Mr. ROONEY, Ms. ROSLEHTINEN, Mr. BILIRAKIS, Mr. GARCIA, Mr. YOUNG of Florida, Mr. MILLER of Florida, Mr. POSEY, Mr. WEBSTER of Florida, Mr. ROSS, and Mr. YOHO) introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To delay increases in flood insurance premium rates under the national flood insurance program until completion of the pending study regarding the affordability of such rates and congressional consideration of reforms to make such rates affordable, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Flood Insurance Fair-
3 ness Act of 2013”.

4 **SEC. 2. DELAY IN FLOOD INSURANCE PREMIUM CHANGES**
5 **UNTIL COMPLETION OF AFFORDABILITY**
6 **STUDY.**

7 (a) **IN GENERAL.**—Notwithstanding any other provi-
8 sion of law, the amendments made by sections 100205 and
9 100207 of the Biggert-Waters Flood Insurance Reform
10 Act of 2012 (Public Law 112–141; 126 Stat. 917) to sec-
11 tions 1307 and 1308 of the National Flood Insurance Act
12 of 1968 (42 U.S.C. 4014 and 4015) shall not take effect
13 until the expiration of the 180-day period beginning on
14 the date that the House of Representatives and the Senate
15 have both completed consideration of a qualified joint res-
16 olution pursuant to section 4.

17 (b) **EFFECTIVE DATE.**—Subsection (a) shall take ef-
18 fect as if enacted as part of the Biggert-Waters Flood In-
19 surance Reform Act of 2012.

20 **SEC. 3. DETERMINATION OF AFFORDABILITY; SUBMISSION**
21 **OF PROPOSED LEGISLATIVE CHANGES.**

22 (a) **IN GENERAL.**—The Administrator of the Federal
23 Emergency Management Agency shall submit to the Con-
24 gress, and to the Secretary of the Senate if the Senate
25 is not in session and to the Clerk of the House of Rep-

1 representatives if the House is not in session, together with
2 the report referred to in section 2(a) of this Act—

3 (1) a determination of whether risk premium
4 rates for flood insurance coverage under the national
5 flood insurance program resulting from the amend-
6 ments referred to in section 2(a) of this Act are sub-
7 stantially affordable for all homeowners; and

8 (2) if the determination under paragraph (1) of
9 this subsection is that such premium rates are not
10 substantially affordable for all homeowners—

11 (A) recommendations for legislative modi-
12 fications, including any modifications necessary
13 to the amendments referred to in section 2(a),
14 sufficient to ensure that risk premium rates for
15 flood insurance coverage under the national
16 flood insurance program resulting from the
17 amendments referred to in section 2(a) of this
18 Act are substantially affordable for all home-
19 owners; and

20 (B) a proposed joint resolution that pro-
21 vides for the legislative modifications under
22 subparagraph (A).

23 (b) PUBLIC AVAILABILITY.—The Administrator shall
24 make the matter submitted to the Congress pursuant to
25 subsection (a), including the proposed joint resolution,

1 publicly available, and shall publish in the Federal Reg-
2 ister a notice of the matter and information on how it can
3 be obtained.

4 **SEC. 4. EXPEDITED CONSIDERATION OF RECOMMENDA-**
5 **TIONS FOR REFORMS.**

6 (a) **QUALIFIED JOINT RESOLUTION.**—For purposes
7 of this section, the term “qualified joint resolution” means
8 only a joint resolution described in section 3(2)(B) of this
9 Act.

10 (b) **INTRODUCTION.**—A proposed qualified joint reso-
11 lution transmitted by the Administrator of the Federal
12 Emergency Management Agency under section 3(a) shall
13 be introduced in the Senate (by request) on the next day
14 on which the Senate is in session by the majority leader
15 of the Senate or by a Member of the Senate designated
16 by the majority leader of the Senate and shall be intro-
17 duced in the House of Representatives (by request) on the
18 next legislative day by the majority leader of the House
19 or by a Member of the House designated by the majority
20 leader of the House.

21 (c) **NO REFERRAL.**—A qualified joint resolution shall
22 not be referred to a committee in either House of Congress
23 and shall immediately be placed on the calendar.

24 (d) **MOTION TO PROCEED.**—A motion to proceed to
25 a joint resolution is highly privileged in the House of Rep-

1 representatives and is privileged in the Senate and is not de-
2 batable. The motion is not subject to a motion to postpone,
3 and all points of order against the motion are waived. A
4 motion to reconsider the vote by which the motion is
5 agreed to or disagreed to shall not be in order. If a motion
6 to proceed to the consideration of a qualified joint resolu-
7 tion is agreed to, the qualified joint resolution shall remain
8 the unfinished business of the respective House until dis-
9 posed of.

10 (e) EXPEDITED CONSIDERATION IN THE HOUSE OF
11 REPRESENTATIVES.—In the House of Representatives, a
12 qualified joint resolution shall be considered as read. All
13 points of order against the qualified joint resolution and
14 against its consideration are waived. The previous ques-
15 tion shall be considered as ordered on the qualified joint
16 resolution to its passage without intervening motion except
17 2 hours of debate shall be divided equally between the ma-
18 jority and minority leaders or their designees. A motion
19 to reconsider the vote on passage of the qualified joint res-
20 olution shall not be in order. A vote on final passage of
21 the qualified joint resolution shall be taken in the House
22 of Representatives on or before the close of the 10th legis-
23 lative day after the date of the introduction of the quali-
24 fied joint resolution in the House of Representatives.

25 (f) EXPEDITED PROCEDURE IN THE SENATE.—

1 (1) CONSIDERATION.—In the Senate, consider-
2 ation of a qualified joint resolution, and on all de-
3 batable motions and appeals in connection therewith,
4 shall be limited to not more than 10 hours, which
5 shall be divided equally between the majority and
6 minority leaders or their designees. A motion to fur-
7 ther limit debate is in order and not debatable. An
8 amendment to, a motion to postpone, a motion to
9 proceed to the consideration of other business, or a
10 motion to commit the qualified joint resolution is not
11 in order.

12 (2) PASSAGE.—If the Senate has proceeded to
13 a qualified joint resolution, the vote on passage of
14 the qualified joint resolution shall occur immediately
15 following the conclusion of consideration of the
16 qualified joint resolution, and a single quorum call
17 at the conclusion of the debate if requested in ac-
18 cordance with the rules of the Senate. A vote on the
19 final passage of the qualified joint resolution shall be
20 taken in the Senate on or before the close of the
21 10th legislative day after the date of the introduc-
22 tion of the qualified joint resolution in the Senate.

23 (3) RULINGS OF THE CHAIR ON PROCEDURE.—
24 Appeals from the decisions of the Chair relating to
25 the application of the rules of the Senate, as the

1 case may be, to the procedure relating to a qualified
2 joint resolution shall be decided without debate.

3 (g) POINTS OF ORDER.—In the Senate or the House
4 of Representatives, a Member of the Senate or House of
5 Representatives, respectively, may raise a point of order
6 that a qualified joint resolution does not meet the defini-
7 tion of a qualified joint resolution under subsection (a).

8 (h) AMENDMENT.—A qualified joint resolution shall
9 not be subject to amendment in either the House of Rep-
10 resentatives or the Senate.

11 (i) IN GENERAL.—If, before passing a qualified joint
12 resolution, one House receives from the other a qualified
13 joint resolution—

14 (1) the qualified joint resolution from the other
15 House shall not be referred to a committee; and

16 (2) with respect to a qualified joint resolution
17 of the House receiving the qualified joint resolu-
18 tion—

19 (A) the procedure in that House shall be
20 the same as if no qualified joint resolution had
21 been received from the other House until the
22 vote on passage; but

23 (B) the vote on final passage shall be on
24 the qualified joint resolution of the other
25 House.

1 (j) EXERCISE OF RULEMAKING POWERS.—This sec-
2 tion is enacted by the Congress—

3 (1) as an exercise of the rulemaking power in
4 the Senate and House of Representatives, respec-
5 tively, and as such it is deemed a part of the rules
6 of each House, respectively, but applicable only with
7 respect to the procedure to be followed in that
8 House in the case of a qualified joint resolution, and
9 it supersedes other rules only to the extent that it
10 is inconsistent with such rules; and

11 (2) with full recognition of the constitutional
12 right of either House to change the rules (so far as
13 relating to the procedure of that House) at any time,
14 in the same manner and to the same extent as in
15 the case of any other rule of that House.

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