

115TH CONGRESS  
2D SESSION

# H. R. 7388

To extend the National Flood Insurance Program, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 21, 2018

Mr. MACARTHUR introduced the following bill; which was referred to the  
Committee on Financial Services

---

## A BILL

To extend the National Flood Insurance Program, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Flood Insur-  
5 ance Program Competition and Extension Act of 2018”.

6 **SEC. 2. REAUTHORIZATION OF NATIONAL FLOOD INSUR-**  
7 **ANCE PROGRAM.**

8 (a) FINANCING.—Section 1309(a) of the National  
9 Flood Insurance Act of 1968 (42 U.S.C. 4016(a)) is  
10 amended by striking “December 7, 2018” and inserting  
11 “May 31, 2019”.

1 (b) PROGRAM EXPIRATION.—Section 1319 of the Na-  
2 tional Flood Insurance Act of 1968 (42 U.S.C. 4026) is  
3 amended by striking “December 7, 2018” and inserting  
4 “May 31, 2019”.

5 (c) RETROACTIVE EFFECTIVE DATE.—If this Act is  
6 enacted after December 21, 2018, the amendments made  
7 by subsections (a) and (b) shall take effect as if enacted  
8 on December 21, 2018.

9 **SEC. 3. ELIMINATION OF NON-COMPETE REQUIREMENT.**

10 Section 1345 of the National Flood Insurance Act of  
11 1968 (42 U.S.C. 4081) is amended by adding at the end  
12 the following new subsection:

13 “(f) AUTHORITY TO PROVIDE OTHER FLOOD COV-  
14 ERAGE.—

15 “(1) IN GENERAL.—The Administrator may  
16 not, as a condition of participating in the Write  
17 Your Own Program (as such term is defined in sec-  
18 tion 100202(a) of the Biggert-Waters Flood Insur-  
19 ance Reform Act of 2012 (42 U.S.C. 4004(a))) or  
20 in otherwise participating in the utilization by the  
21 Administrator of the facilities and services of insur-  
22 ance companies, insurers, insurance agents and bro-  
23 kers, and insurance adjustment organizations pursu-  
24 ant to the authority in this section, nor as a condi-  
25 tion of eligibility to engage in any other activities

1 under the National Flood Insurance Program under  
2 this title, restrict any such company, insurer, agent,  
3 broker, or organization from offering and selling pri-  
4 vate flood insurance (as such term is defined in sec-  
5 tion 102(b) of the Flood Disaster Protection Act of  
6 1973 (42 U.S.C. 4012a(b))).

7 “(2) FINANCIAL ASSISTANCE; SUBSIDY AR-  
8 RANGEMENT.—After the date of the enactment of  
9 this subsection—

10 “(A) the Administrator may not include in  
11 any agreement entered into with any insurer for  
12 participation in the Write Your Own Program  
13 any provision establishing a condition prohib-  
14 ited by paragraph (1), including the provisions  
15 of Article XIII of the Federal Emergency Man-  
16 agement Agency, Federal Insurance Adminis-  
17 tration, Financial Assistance/Subsidy Arrange-  
18 ment, as adopted pursuant to section 62.23(a)  
19 of title 44 of the Code of Federal Regulations;  
20 and

21 “(B) any such provision in any such agree-  
22 ment entered into before such date of enact-  
23 ment shall not have any force or effect, and the

1 Administrator may not take any action to en-  
2 force such provision.”.

○