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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 442 Session of  
2023

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INTRODUCED BY SANTARSIERO, CAPPELLETTI, HUGHES, FONTANA, KANE,  
MUTH AND COMMITTA, MARCH 14, 2023

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REFERRED TO BANKING AND INSURANCE, MARCH 14, 2023

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AN ACT

1 Establishing the Flood Insurance Premium Assistance Task Force.

2 The General Assembly of the Commonwealth of Pennsylvania

3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the Flood

6 Insurance Premium Assistance Task Force Act.

7 Section 2. Findings.

8 The General Assembly finds that:

9 (1) Many communities within this Commonwealth have faced  
10 devastating floods in recent years.

11 (2) In 2012, the Congress of the United States enacted  
12 amendments to 42 U.S.C. §§ 2414(e) and 4001 et seq. (National  
13 Flood Insurance Act of 1968) that have caused steep increases  
14 in flood insurance premiums to pay for increased spending in  
15 the Federal Emergency Management Agency's (FEMA) flood  
16 disaster assistance program.

17 (3) In the past several years, FEMA has revised its

1 flood mapping to include many properties that previously did  
2 not require flood insurance.

3 (4) Whole communities along Pennsylvania's rivers and  
4 creeks could be devastated by plummeting property values due  
5 to unaffordable flood insurance premiums.

6 Section 3. Flood Insurance Premium Assistance Task Force.

7 (a) Establishment.--The Flood Insurance Premium Assistance  
8 Task Force is established.

9 (b) Membership.--The task force shall consist of the  
10 following members, appointed within 25 days after the effective  
11 date of this section:

12 (1) One member appointed by the Governor, who shall  
13 serve as the chair of the task force.

14 (2) One member appointed by the Lieutenant Governor.

15 (3) One member appointed by the Director of the  
16 Pennsylvania Emergency Management Agency.

17 (4) One member appointed by the Insurance Commissioner.

18 (5) One member appointed by the Secretary of Banking and  
19 Securities.

20 (6) One member appointed by the Majority Leader of the  
21 Senate.

22 (7) One member appointed by the Minority Leader of the  
23 Senate.

24 (8) One member appointed by the Majority Leader of the  
25 House of Representatives.

26 (9) One member appointed by the Minority Leader of the  
27 House of Representatives.

28 (c) Conducting of business.--The task force shall conduct  
29 its business as follows:

30 (1) The physical presence of a majority of the members

1 shall constitute a quorum of the task force.

2 (2) Action of the task force must be authorized or  
3 ratified by a majority vote of its members.

4 (3) A member not physically present may participate by  
5 teleconference or video conference.

6 (4) The first meeting shall be convened within 45 days  
7 of the effective date of this section. Additional meetings  
8 may be called by the chair as necessary.

9 (5) The chair shall schedule a meeting upon written  
10 request of a two-thirds majority of the members of the task  
11 force.

12 (6) The task force shall hold public hearings as  
13 necessary to obtain the information required to conduct its  
14 review.

15 (7) The Department of Community and Economic  
16 Development, the Department of Conservation and Natural  
17 Resources, the Department of Environmental Protection and the  
18 Insurance Department shall cooperate to provide  
19 administrative or other assistance to the task force.

20 (8) Members may not receive compensation but shall be  
21 reimbursed for reasonable and necessary expenses incurred in  
22 service of the task force.

23 (d) Powers and duties.--The task force shall have the  
24 following powers and duties:

25 (1) To review and analyze the law, procedures,  
26 practices, processes and rules relating to the administration  
27 of flood insurance.

28 (2) To hold public hearings for the taking of testimony  
29 and the requesting of documents.

30 (3) Through its chair, to administer oaths and

1 affirmations to witnesses appearing before the task force.

2 (4) To accept and review written comments from  
3 individuals and organizations.

4 (5) To make, by no later than six months after the  
5 effective date of this section, a final report to the  
6 Governor, the Senate and the House of Representatives. In  
7 addition to any information that the task force deems  
8 appropriate, the report shall include recommendations  
9 regarding:

10 (i) potential programs that provide premium  
11 discounts;

12 (ii) potential programs, whether through the  
13 mechanism of premium discounts or other relief, that  
14 create incentives for local governments to undertake or  
15 continue flood mitigation efforts;

16 (iii) the implementation of necessary changes in  
17 State statutes and practices, policies and procedures  
18 relating to the administration of flood insurance;

19 (iv) how to educate residents of this Commonwealth  
20 about the risk of flooding and ways to mitigate flood  
21 occurrences;

22 (v) steps that the Commonwealth should take to  
23 inform residents of this Commonwealth about the options  
24 available to them when purchasing flood insurance; and

25 (vi) how to increase the number of people that  
26 purchase flood insurance, either through the National  
27 Flood Insurance Program or the private flood insurance  
28 market.

29 (e) Report.--The report made under this act shall be:

30 (1) Adopted at a public meeting.

1           (2) A public record under the act of February 14, 2008  
2           (P.L.6, No.3), known as the Right-to-Know Law.

3           (f) Expiration.--The task force shall expire 30 days after  
4 making the final report to the Governor, the Senate and the  
5 House of Representatives under subsection (d) (5).

6 Section 4. Effective date.

7           This act shall take effect in 60 days.