

118TH CONGRESS  
2D SESSION

# H. R. 8637

To make protection against damage and loss resulting from the erosion and undermining of shorelines available under the National Flood Insurance Program, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 5, 2024

Mr. MURPHY (for himself, Ms. PINGREE, Mr. ROUZER, Mr. WITTMAN, Mr. D'ESPOSITO, Mr. DAVIS of North Carolina, and Mrs. KIGGANS of Virginia) introduced the following bill; which was referred to the Committee on Financial Services

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## A BILL

To make protection against damage and loss resulting from the erosion and undermining of shorelines available under 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 “Preventing Environ-  
5 mental Hazards Act of 2024”.

1 **SEC. 2. FLOOD INSURANCE COVERAGE FOR STRUCTURES**  
2 **ON LAND SUBJECT TO IMMINENT COLLAPSE**  
3 **OR SUBSIDENCE.**

4 (a) IN GENERAL.—Section 1306 of the National  
5 Flood Insurance Act of 1968 (42 U.S.C. 4013) is amended  
6 by adding at the end the following new subsection:

7 “(e) EROSION COVERAGE.—

8 “(1) IN GENERAL.—If any structure covered by  
9 a contract for flood insurance under this title and lo-  
10 cated on land that is along the shore of a lake or  
11 other body of water is condemned or deemed unsafe  
12 for habitation by a State or local authority due to  
13 imminent collapse or subsidence as a result of shore-  
14 line erosion or determined by a State or local au-  
15 thority to be situated partially or wholly over water,  
16 a shoreline bluff, or escarpment, or below Mean  
17 Higher High Water on tidal waterbodies (regardless  
18 of whether as a result of long-term, chronic erosion  
19 or as a result of waves or currents of water exceed-  
20 ing anticipated cyclical levels), the Administrator  
21 shall (following final determination by the Adminis-  
22 trator that the claim is in compliance with regula-  
23 tions developed pursuant to paragraph (7)(A)) pay  
24 amounts under such flood insurance contract for  
25 proper demolition or relocation as follows:

1           “(A) DEMOLITION.—For proper demoli-  
2           tion—

3                   “(i) following final determination by  
4                   the Administrator, 40 percent of the value  
5                   of the structure; and

6                   “(ii) following demolition of the struc-  
7                   ture (including any septic containment sys-  
8                   tem) within 6 months of payment under  
9                   clause (i) and prior to collapse, the remain-  
10                  ing 60 percent of the value of the structure  
11                  or the actual cost of demolition, whichever  
12                  amount is less.

13                  “(B) RELOCATION.—For proper relocation  
14                  (including removal of any septic containment  
15                  system) if the owner chooses to relocate the  
16                  structure, following final determination by the  
17                  Administrator, prior to collapse, up to 40 per-  
18                  cent of the value of the structure; except that  
19                  the total payment under this subparagraph  
20                  shall not exceed the actual cost of relocation.

21                  “(2) COLLAPSE OR SUBSIDENCE.—If any struc-  
22                  ture subject to a final determination under para-  
23                  graph (1) collapses or subsides, or a period of six or  
24                  more months elapses, before the owner demolishes or  
25                  relocates the structure and the Administrator deter-

1 mines that the owner has failed to take reasonable  
2 and prudent action to demolish or relocate the struc-  
3 ture, the Administrator shall not pay more than the  
4 amount provided in paragraph (1)(A)(i) with respect  
5 to the structure.

6 “(3) VALUE OF STRUCTURE.—For purposes of  
7 paying flood insurance pursuant to this subsection,  
8 the value of a structure shall be whichever of the fol-  
9 lowing is lowest:

10 “(A) The fair market value of a com-  
11 parable structure that is not subject to immi-  
12 nent collapse or subsidence.

13 “(B) The price paid for the structure and  
14 any improvement to the structure, as adjusted  
15 for inflation in accordance with an index deter-  
16 mined by the Administrator to be appropriate.

17 “(C) The value of the structure under the  
18 flood insurance contract issued pursuant to this  
19 title.

20 “(4) COVERAGE TERMS.—

21 “(A) MAXIMUM CLAIM.—Notwithstanding  
22 any provision of this subsection, the amount  
23 paid under a flood insurance contract in con-  
24 nection with any claim under this subsection  
25 may not exceed the lesser of—

1                   “(i) the amount of coverage under the  
2                   flood insurance contract for the structure;

3                   or

4                   “(ii) \$250,000.

5                   “(B) EXCLUSION OF LOSS OF CON-  
6                   TENTS.—Flood insurance coverage under this  
7                   subsection shall not cover any loss of or damage  
8                   to any contents of a structure.

9                   “(5) APPLICABILITY.—

10                   “(A) IN GENERAL.—The provisions of this  
11                   subsection shall apply to contracts for flood in-  
12                   surance under this title that are in effect on, or  
13                   entered into after, the date of the enactment of  
14                   this subsection.

15                   “(B) COVERAGE ON CERTIFICATION  
16                   DATE.— The provisions of this subsection shall  
17                   not apply to any structure not subject to a con-  
18                   tract for flood insurance under this title on the  
19                   date of a certification under paragraph (1).

20                   “(C) PERIOD OF COVERAGE.—The provi-  
21                   sions of this subsection shall not apply to any  
22                   structure unless the structure is covered by a  
23                   contract for flood insurance under this title—

1                   “(i) for a period of 12 months on or  
2                   before the date of the enactment of this  
3                   Act; or

4                   “(ii) for a continuous period of 4  
5                   years prior to certification under para-  
6                   graph (1).

7                   “(6) TERMINATION OF COVERAGE.—For any  
8                   structure that is subject to a final determination  
9                   under paragraph (1), no subsequent flood insurance  
10                  coverage under this title or assistance under the Dis-  
11                  aster Relief Act of 1974 (except emergency assist-  
12                  ance essential to save lives and protect property,  
13                  public health and safety) shall be available for the  
14                  same structure, or a different structure on any re-  
15                  maining portions of the parcel of land originally af-  
16                  forded assistance under this subsection.

17                  “(7) REGULATIONS.—

18                  “(A) IN GENERAL.—The Administrator  
19                  shall promulgate regulations and guidelines to  
20                  implement this subsection.

21                  “(B) APPLICABILITY.—Prior to issuance of  
22                  regulations regarding the State and local cer-  
23                  tifications pursuant to paragraph (1), all provi-  
24                  sions of this subsection shall apply to any struc-  
25                  ture that—

1                   “(i) otherwise meets the requirements  
2                   of this subsection; and

3                   “(ii) is imminently threatened by  
4                   shoreline erosion, regardless of whether as  
5                   a result of long-term, chronic erosion or as  
6                   a result of waves or currents of water ex-  
7                   ceeding anticipated cyclical levels.”.

8           (b) **EFFECTIVE DATE.**—The amendment made by  
9 this section shall become effective on the date of the enact-  
10 ment of this Act.

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