

SECOND REGULAR SESSION

# SENATE BILL NO. 941

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR ROMINE.

Read 1st time January 22, 2018, and ordered printed.

ADRIANE D. CROUSE, Secretary.

6067S.011

## AN ACT

To amend chapter 44, RSMo, by adding thereto one new section relating to floodplain management.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 44, RSMo, is amended by adding thereto one new section, to be known as section 44.460, to read as follows:

**44.460. 1. All counties and municipalities in the state shall participate in and comply with all provisions of the National Flood Insurance Program, created by the National Flood Insurance Act of 1968, as amended.**

**2. Each county and municipality in the state shall designate a floodplain manager to oversee policies and activities to mitigate current and future losses and costs caused by flooding and to protect the natural and beneficial functions of floodplains. A municipality may enter into an agreement with its respective county to utilize the services of the county floodplain manager. All floodplain managers shall be certified by the state emergency management agency and shall be members in good standing with the Missouri Floodplain and Stormwater Managers Association, or its successor organization.**

**3. (1) The state emergency management agency shall develop rules to determine allowable levels of development within floodplains of the state. The state emergency management agency shall collaborate with stakeholders including, but not limited to, county and municipal floodplain managers to determine such allowable levels of development, the process for reviewing proposed site plans, and when variances to such requirements may be issued.**

**(2) The state emergency management agency may promulgate**

22 such rules as are necessary to carry out the provisions of this section.

23       (3) Any rule or portion of a rule, as that term is defined in  
24 section 536.010 that is created under the authority delegated in this  
25 section shall become effective only if it complies with and is subject to  
26 all of the provisions of chapter 536, and, if applicable, section  
27 536.028. This section and chapter 536 are nonseverable and if any of  
28 the powers vested with the general assembly pursuant to chapter 536,  
29 to review, to delay the effective date, or to disapprove and annul a rule  
30 are subsequently held unconstitutional, then the grant of rulemaking  
31 authority and any rule proposed or adopted after August 28, 2018, shall  
32 be invalid and void.

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Bill

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