

113TH CONGRESS  
1ST SESSION

# S. 1601

To ensure that certain communities may be granted exceptions for floodproofed residential basements for purposes of determining risk premium rates for flood insurance.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 29, 2013

Mr. HOEVEN (for himself and Ms. HEITKAMP) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

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## A BILL

To ensure that certain communities may be granted exceptions for floodproofed residential basements for purposes of determining risk premium rates for flood insurance.

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 “Flood Safe Basements  
5 Act”.

6 **SEC. 2. TREATMENT OF FLOODPROOFED RESIDENTIAL**  
7 **BASEMENTS.**

8 (a) DEFINITIONS.—In this section—

1 (1) for purposes of rating a floodproofed cov-  
2 ered structure, the term “adjusted base flood ele-  
3 vation” means the base flood elevation for a covered  
4 structure on the applicable effective flood insurance  
5 rate map, plus 1 foot;

6 (2) the term “Administrator” means the Ad-  
7 ministrator of the Federal Emergency Management  
8 Agency;

9 (3) the term “applicable flood plain manage-  
10 ment measures” means flood plain management  
11 measures adopted by a community under section  
12 60.3(c) of title 44, Code of Federal Regulations;

13 (4) the term “covered structure” means a resi-  
14 dential structure—

15 (A) that is located in a community that  
16 has adopted flood plain management measures  
17 that are approved by the Federal Emergency  
18 Management Agency and satisfy the require-  
19 ments for an exception for floodproofed residen-  
20 tial basements under section 60.6(c) of title 44,  
21 Code of Federal Regulations; and

22 (B) that was built in compliance with the  
23 applicable flood plain management measures;

24 (5) the term “floodproofed elevation” means the  
25 height of floodproofing on a structure, as identified

1 on the Residential Basement Floodproofing Certifi-  
2 cate for the structure; and

3 (6) the term “National Flood Insurance Pro-  
4 gram” means the program established under the Na-  
5 tional Flood Insurance Act of 1968 (42 U.S.C. 4001  
6 et seq.).

7 (b) PRESERVATION OF BASEMENT EXCEPTION.—  
8 Notwithstanding the Biggert-Waters Flood Insurance Re-  
9 form Act of 2012 (Public Law 112–141; 126 Stat. 916),  
10 the amendments made by that Act, or any other provision  
11 of law, the Administrator shall rate a covered structure  
12 using the elevation difference between the floodproofed ele-  
13 vation of the covered structure and the adjusted base flood  
14 elevation of the covered structure.

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