

116TH CONGRESS  
2D SESSION

# S. 3285

To modify eligibility requirements for certain hazard mitigation assistance programs, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 12, 2020

Mr. TILLIS (for himself, Mr. JONES, Mr. BURR, Mr. CORNYN, Mr. CRUZ, Mr. LANKFORD, and Mr. ROUNDS) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To modify eligibility requirements for certain hazard mitigation assistance programs, 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 “Hazard Eligibility and  
5 Local Projects Act”.

6 **SEC. 2. AUTHORITY TO BEGIN IMPLEMENTATION OF AC-**  
7 **QUISITION OR RELOCATION PROJECTS.**

8 (a) **ELIGIBILITY FOR ASSISTANCE FOR INITIATED**  
9 **PROJECTS.—**

1           (1) IN GENERAL.—Notwithstanding any other  
2 provision of law, an entity seeking assistance under  
3 a hazard mitigation assistance program shall be eli-  
4 gible to receive such assistance for a covered project  
5 if the entity—

6           (A) complies with all other eligibility re-  
7 quirements of the hazard mitigation assistance  
8 program for acquisition or relocation projects,  
9 including extinguishing all incompatible encum-  
10 brances; and

11           (B) complies with all Federal requirements  
12 for the project.

13           (2) COSTS INCURRED.—An entity seeking as-  
14 sistance under a hazard mitigation assistance pro-  
15 gram shall be responsible for any project costs in-  
16 curred by the entity for a covered project if the cov-  
17 ered project is not awarded, or is determined to be  
18 ineligible for, assistance.

19           (b) DEFINITIONS.—In this section, the following defi-  
20 nitions apply:

21           (1) COVERED PROJECT.—The term “covered  
22 project” means—

23           (A) an acquisition or relocation project for  
24 which an entity began implementation prior to

1 grant award under a hazard mitigation assist-  
2 ance program; and

3 (B) a project for which an entity initiated  
4 planning or construction before or after re-  
5 questing assistance for the project under a haz-  
6 ard mitigation assistance program qualifying  
7 for a categorical exemption under the National  
8 Environmental Policy Act.

9 (2) HAZARD MITIGATION ASSISTANCE PRO-  
10 GRAM.—The term “hazard mitigation assistance  
11 program” means—

12 (A) the predisaster hazard mitigation  
13 grant program authorized under section 203 of  
14 the Robert T. Stafford Disaster Relief and  
15 Emergency Assistance Act (42 U.S.C. 5133);

16 (B) the hazard mitigation grant program  
17 authorized under section 404 of the Robert T.  
18 Stafford Disaster Relief and Emergency Assist-  
19 ance Act (42 U.S.C. 5170c); and

20 (C) the flood mitigation assistance pro-  
21 gram authorized under section 1366 of the Na-  
22 tional Flood Insurance Act of 1968 (42 U.S.C.  
23 4104c).

1       (c) APPLICABILITY.—This section shall apply to  
2 funds appropriated on or after the date of enactment of  
3 this Act.

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