

AMENDMENT TO H.R. 2874

OFFERED BY MR. MACARTHUR OF NEW JERSEY

Page 61, line 7, before “The” insert “(a) IN GENERAL.—”.

Strike line 6 on page 64 and all that follows through “authority.” on page 68, line 16, and insert the following:

1 “(g) AVAILABILITY OF OTHERWISE PROHIBITED
2 FLOOD INSURANCE COVERAGE WHERE PRIVATE MARKET
3 COVERAGE IS UNAVAILABLE.—The Administrator shall
4 make available flood insurance coverage under this Act for
5 a property described in subparagraph (A) or (B) of sub-
6 section (f)(1), notwithstanding subsection (f) of this sec-
7 tion, but only if, within the 10-day period beginning upon
8 submission to the Clearinghouse established pursuant to
9 section 1350 of an application for flood insurance coverage
10 for such property, the Clearinghouse does not provide the
11 applicant with one or more bona fide offers for private
12 flood insurance coverage for such property having charge-
13 able premium rates that are less than or equal to the
14 chargeable premium rate for such property under flood in-
15 surance coverage made available under this title.”.

Page 68, after line 20, insert the following new subsection:

1 (b) ESTABLISHMENT OF CLEARINGHOUSE.—Part C
2 of chapter II of the National Flood Insurance Act of 1968
3 (42 U.S.C. 4081 et seq.), as amended by the preceding
4 provisions of this Act, is further amended by adding at
5 the end the following new section:

6 **“SEC. 1350. FLOOD INSURANCE CLEARINGHOUSE.**

7 “(a) ESTABLISHMENT AND OPERATIONS.—Not later
8 than January 1, 2021, the Administrator shall establish
9 and commence operations of a Flood Insurance Clearing-
10 house (in this section referred to as the ‘Clearinghouse’).

11 “(b) PURPOSE.—The Clearinghouse shall be estab-
12 lished for the purpose of receiving applications from pro-
13 spective insureds for flood insurance coverage for prop-
14 erties for which such coverage is prohibited under section
15 1305(f) of the National Flood Insurance Act of 1968 (42
16 U.S.C. 4012(f)) and for providing to such applicants of-
17 fers for such coverage from insurers providing private
18 flood insurance (as such term is defined for purposes of
19 section 102(c) of the Flood Disaster Protection Act of
20 1973 (42 U.S.C. 4012a(c)) and, subject to the limitations
21 in this section, for coverage made available under the Na-
22 tional Flood Insurance Program.

1 “(e) FUNCTIONS.—The Clearinghouse shall have as
2 its functions—

3 “(1) to provide for prospective insureds to sub-
4 mit to the Clearinghouse applications for flood insur-
5 ance coverage for properties described in subsection
6 (b);

7 “(2) to determine, with respect to a property
8 identified in an application, the chargeable premium
9 rate for coverage made available under this title;

10 “(3) with respect to a property identified in an
11 application, to solicit offers of coverage under pri-
12 vate flood insurance from providers of such insur-
13 ance during a reasonable period of time after such
14 application, which offers shall provide terms and
15 conditions of insurance, including deductibles and
16 exclusions, that are identical to coverage under this
17 title for the property; and

18 “(4) to provide to the applicant for insurance—

19 “(A) any bona fide offers for private insur-
20 ance coverage made pursuant to paragraph (3)
21 for the property identified in the application;

22 “(B) in the case only of a property for
23 which such coverage is authorized pursuant to
24 subsection (g) of section 1305, a bona fide offer

1 for flood insurance coverage made available
2 under this title for the property; and

3 “(C) information to help the applicant for
4 insurance understand such offers and the limi-
5 tation under section 1305(g);

6 “(d) AGREEMENTS.—The Administrator may enter
7 into such agreements with insurers providing private flood
8 insurance coverage as may be necessary for the Clearing-
9 house to carry out its functions.”.

