

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 246 Session of
2023

INTRODUCED BY T. DAVIS, MADDEN, HILL-EVANS, PROBST, SANCHEZ,
GUENST, JAMES, BURGOS, DELLOSO, CIRESI, ZIMMERMAN, WARREN,
N. NELSON, KINSEY, MULLINS, SHUSTERMAN, BRENNAN, STEELE,
WEBSTER, O'MARA AND PARKER, MARCH 10, 2023

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MARCH 10, 2023

AN ACT

1 Imposing a duty on municipal corporations to provide
2 notification to property owners of changes to special flood
3 hazard area maps of the Federal Emergency Management Agency.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Flood Hazard
8 Notification Act.

9 Section 2. Notification to affected property owners.

10 (a) Duty of municipal corporation.--A municipal corporation,
11 within 90 days of receipt of notification from the Federal
12 Emergency Management Agency that indicates a change in a
13 preliminary special flood hazard area map relating to real
14 property used for residential, commercial, mixed-use,
15 industrial, special purpose or agricultural purposes within the
16 municipal corporation, shall provide to each owner of the
17 property:

1 (1) written notification that the change has occurred
2 within the municipal corporation;

3 (2) written notification of the name and contact
4 information of the appointed floodplain administrator for the
5 municipal corporation; and

6 (3) written notification of the Internet website,
7 address and telephone number for the National Flood Insurance
8 Program to aid the property owner in determining if there has
9 been a change to the flood risk of the property.

10 (b) Duty of county.--A county shall, within 90 days of being
11 informed by the Pennsylvania Emergency Management Agency of a
12 change in a final special flood hazard area map of the Federal
13 Emergency Management Agency relating to real property used for
14 residential, commercial, mixed-use, industrial, special purpose
15 or agricultural purposes within the county, provide to each
16 owner of the property written notification that the change has
17 occurred.

18 (c) Form of notice.--Notice sent by first class mail to the
19 last known address of the owner as shown on the current real
20 estate tax assessment record shall be deemed adequate compliance
21 with the duty to provide notification under subsections (a) and
22 (b) .

23 (d) Municipal immunity.--Neither the municipal corporation
24 nor the county shall be liable for the failure of a property
25 owner to receive or act on written notification under subsection
26 (a) or (b) as a result of a disruption of service or the failure
27 to deliver the notification on the part of the United States
28 Postal Service.

29 Section 3. Effective date.

30 This act shall take effect in 60 days.