



# HOUSE COMMITTEE ON APPROPRIATIONS

## FISCAL NOTE

HOUSE BILL NO. 1598

PRINTERS NO. 2140

PRIME SPONSOR: Boback

### COST / (SAVINGS)

FUND	FY 2022/23	FY 2023/24
General Fund	\$0	See Fiscal Impact

**SUMMARY:** House Bill 1598, Printer's Number 2140, amends the Flood Plain Management Act to transfer administration of the program to the Pennsylvania Emergency Management Agency.

**ANALYSIS:** This bill amends the Flood Plain Management Act (Act 166 of 1978) to transfer the administration of the act to the Pennsylvania Emergency Management Agency (PEMA) from the Department of Community and Economic Development (DCED), which was formerly the Department of Community Affairs as referenced in the act. It also updates and changes references in the bill from the Department of Environmental Resources to the Department of Environmental Protection (DEP), which was renamed and reorganized in 1995.

With the amended changes, the bill makes PEMA the lead and sole agency responsible for administering the Flood Plain Management Act and working directly with the Federal Emergency Management Agency (FEMA) and DEP maintains its consultation role to review and approve all municipal flood plain management regulations for the purpose of assuring the regulations comply with the National Flood Insurance Program. It deletes Section 602 that provided one-time appropriations to the Departments of Community Affairs and Environmental Protection respectively in FY 1978-79.

The bill also repeals Article V-B relating to PEMA in the Administrative Code (Act 175 of 1929), which was amended in 2021 to provide for the transfer of flood plain management duties to PEMA and to provide that "no person shall construct, modify, remove, abandon or destroy a structure or engage in an activity specified in section 302(a) of the Flood Plain Management Act in the 100-year flood plain unless the person has first applied for and obtained a permit from the Department of Environmental Protection.

This legislation would take effect in 60 days upon enactment.

**FISCAL IMPACT:** Enactment of this legislation will have no adverse impact on Commonwealth funds. The bill makes PEMA the agency solely responsible for working directly with FEMA, administering the Flood Plain Management Act, managing related programs such as the National Flood Insurance Program, and managing floodplain management programs and all fieldwork with local municipalities. Having one agency responsible for the act is projected to improve

program coordination and management, reduce administrative and operational costs, and possibly result in additional federal funds being available to the Commonwealth when addressing hazard mitigation and disaster assistance issues.

**PREPARED BY:** Jeffrey Clukey  
House Appropriations Committee (R)

**DATE:** July 1, 2022

*Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*