



HOUSE BILL 141: Stormwater/Flood Control Activities

2015-2016 General Assembly

Committee:	House Local Government	Date:	April 27, 2015
Introduced by:	Reps. Jeter, Cotham, Cunningham, Bradford	Prepared by:	Giles S. Perry
Analysis of:	PCS to First Edition H141-CSRW-21		Committee Counsel

SUMMARY: *House Bill 141 would authorize certain cities to undertake activities through their stormwater management programs to implement flood reduction techniques that result in improvements to private property.*

BILL ANALYSIS: House Bill 141 would authorize a city to engage in any of the following activities under its stormwater management program:

- Purchase property for the purpose of demolishing flood prone buildings.
- Implement flood damage reduction techniques that result in improvements to private property, including:
 - Elevating structures or their associated components.
 - Demolishing flood prone structures.
 - Retrofitting flood prone structures.

A city may only engage in these activities as provided in a policy document approved by the city council. The policy document must, at a minimum, provide that:

- The private property owner's written consent must be obtained prior to the implementation of flood reduction improvements on the owner's property.
- The city has determined that improving the stormwater system is not practically feasible or cost effective and the authorized activities will provide savings to the stormwater fund.
- The improvements to the private property are the minimum necessary to achieve the stormwater benefit.
- The funding provided by the city, above a certain amount, to the property owner or expended upon improvements to the property shall be reimbursed to the city if the property is sold within five years of the completion of the flood reduction improvement project.
- The minimum financial contribution the private property owner must make to the flood reduction improvement project.

EFFECTIVE DATE AND APPLICABILITY: House Bill 141 would become effective when it becomes law and would apply only to cities in a county which meets the following criteria: (i) the county has a population of 275,000 or greater according to the most recent annual population estimates certified by the State Budget Officer and (ii) the county has at least one city with a population of 225,000 or greater according to the most recent annual population estimates certified by the State Budget Officer.

Jeff Hudson, counsel to the House Environment Committee, substantially contributed to this summary.

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