

Department of Planning and Budget

2023 Fiscal Impact Statement

1. Bill Number: SB1392

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☒ Enrolled

2. Patron: Lewis

3. Committee: Passed both Houses.

4. Title: State agency compliance with flood plain management regulations.

5. Summary: Directs the Department of Conservation and Recreation, no later than September 30, 2023, and in cooperation with numerous Secretariats and the Special Assistant to the Governor for Coastal Adaptation and Protection, to establish standards for development in a flood plain for all state agencies and departments. Such standards shall require at least compliance with the National Flood Insurance Program and shall require that any development undertaken by an agency or department on state-owned land located in a Special Flood Hazard Area be protected or flood-proofed against flooding and flood damage. The bill also requires any state agency or department, when developing a facility on state-owned property located in a flood plain, to either adhere to all local flood plain management regulations or receive Department approval of compliance with the applicable state standard for development in a flood plain, provided that such standard does not jeopardize a locality's participation in the National Flood Insurance Program. Compliance with the provisions of subsection A shall be documented and provided by the Department to the applicant prior to preliminary design approval of a project by the Department of General Services, if such approval by the Department of General Services is otherwise applicable. If any changes are made to the preliminary design during the review conducted by the Department of General Services, the Department of General Services will coordinate with the Department to ensure the variance issued is still appropriate. The bill provides that a memorandum of understanding with a state agency may also establish alternative approvals and processes for compliance with the applicable state standard.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Final.

8. Fiscal Implications: It is anticipated that the Department of Conservation and Recreation and the Department of General Services can implement the provisions of this bill within current resources. Any fiscal impact on state agencies is unknown.

9. Specific Agency or Political Subdivisions Affected: Department of Conservation and Recreation; Department of General Services; Secretaries of Administration, Agriculture and

Forestry, Commerce and Trade, Education, Health and Human Resources, Natural Resources, Public Safety and Homeland Security, and Transportation; Special Assistant to the Governor for Coastal Adaptation; Chief Resilience Officer; and all state agencies.

10. Technical Amendment Necessary: No.

11. Other Comments: HB1807 is the companion to this bill.