AMENDMENT OFFERED BY MR. DIAZ-BALART OF FLORIDA

TO THE AMENDMENT OFFERED BY MR. FRELINGHUYSEN OF NEW JERSEY

Page 27, after line 24, insert the following:

GENERAL PROVISION—THIS CHAPTER

SEC. 1061. (a) IN GENERAL.—With respect to a State for the President has declared a major disaster in connection with Hurricane Sandy, if the State has in effect and is actively enforcing throughout the State an approved State building code, the President shall increase the total Federal contributions to the State under section 404(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c), for the major disaster, as specified in sections 404(a) and 322(e) of that Act (42 U.S.C. 5170c and 5165(e)), by an amount equal to 5 percent.

(b) SUBMISSION.—To be eligible for an increased Federal share under subsection (a), a State shall submit its State building code to the President for approval not later than 2 years after the date of enactment of this Act.
(c) APPROVAL.—The President shall approve a State building code submitted under subsection (b) if the President determines that the building code—

(1) is consistent with the most recent version of a nationally recognized model building code;

(2) has been adopted by the State within 6 years of the most recent version of the nationally recognized model building code; and

(3) uses the nationally recognized model building code as a minimum standard.

(d) DEFINITIONS.—In this section, the following definitions apply:

(1) ACTIVELY ENFORCING.—The term “actively enforcing” means effective jurisdictional execution of all phases of a State building code in the process of examination and approval of construction plans, specifications, and technical data and the inspection of new construction or renovation.

(2) NATIONALLY RECOGNIZED MODEL BUILDING CODE.—The term “nationally recognized model building code” means a building code for residential and commercial construction and construction materials that—
(A) has been developed and published by a
code organization in an open consensus type
forum with input from national experts;

(B) is based on national structural design
standards that establish minimum acceptable
criteria for the design, construction, and main-
tenance of residential and commercial buildings
for the purpose of protecting the health, safety,
and general welfare of the building’s users
against natural disasters; and

(C) meets the requirements described in
FORTIFIED for Safer Living Builders Guide
and FORTIFIED for Safer Business Stan-
dards, respectively, published by the Insurance
Institute for Business and Home Safety.

(3) STATE BUILDING CODE.—The term “State
building code” means requirements and associated
standards for residential and commercial construc-
tion and construction materials that are imple-
mented on a statewide basis by ordinance, resolu-
tion, law, housing or building code, or zoning ordi-
nance. At a minimum, such requirements and associ-
ated standards shall apply—

(A) to construction-related activities of resi-
idential building contractors applicable to sin-
ingle-family and 2-family residential structures;
and

(B) to construction-related activities of engineers, architects, designers, and commercial
building contractors applicable to the structural safety, design, and construction of commercial,
industrial, and multifamily structures.

(c) REGULATIONS.—The President, acting through the Administrator of the Federal Emergency Management Agency, shall issue such regulations as may be necessary to carry out this section.