



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2017 Wisconsin Act 242
[2017 Senate Bill 601]

**Changes to Floodplain
Determinations and Zoning
Ordinances**

BACKGROUND

The Federal Emergency Management Agency (FEMA) identifies and maps areas where flood insurance is necessary for participation in the National Flood Insurance Program (NFIP). The NFIP provides access to federally subsidized flood insurance for property owners in areas susceptible to flooding. To participate in the program, a local community (typically a municipality) must have adopted floodplain management ordinances that satisfy minimum requirements established by FEMA.

FEMA may grant a request to amend a flood insurance map by issuing a letter of map amendment (LOMA). Under prior law, a LOMA affected requirements related to flood insurance but did not necessarily affect a local floodplain determination or floodplain zoning ordinance.

2018 WISCONSIN ACT 242

2017 Wisconsin Act 242 generally requires a city, village, town, or county to amend its floodplain determination as necessary to conform with a LOMA. The Act requires the Department of Natural Resources to consent to such an amendment.

After such an amendment, the Act prohibits a city, village, town, or county from enforcing its floodplain zoning ordinance with respect to the relevant property or area of a city, village, town, or county, to the extent that the ordinance is contrary to the LOMA. However, the Act provides an exception to the required amendment and nonenforcement provisions in instances in which amending a local floodplain determination would conflict with the city, village, town, or county's eligibility to participate in the NFIP.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.