

SENATE BILL 2027 & NFIP QUESTIONS & ANSWERS

Q: What is SB 2027?

A: SB 2365 from the 2023 Legislative Session requested the Interim Ag & Natural Resources Committee study floodplain management authority. Specifically, the Committee was requested to identify a method for tracking and updating organized townships, define a process to request/yield authority to adjacent jurisdictions, and provide insurance agents and the public with access to land use authority information. As a result of the Interim Committee study, SB 2027 was passed during the 2025 Legislative Session.

Q: What impacts will SB 2027 have for North Dakota communities?

A: As a result of SB 2027, floodplain management authority outside of cities will default to counties. Townships wanting to manage their own floodplain will have the ability to reclaim floodplain zoning authority from the county. These changes were necessary to ensure compliance with federal regulations related to the National Flood Insurance Program (NFIP). A copy of Senate Bill 2027 can be found on the ND Legislature website at ndlegis.gov

Q: Why was this necessary?

A: To ensure insurance agents can correctly identify the community with floodplain management authority to ensure they are correctly writing NFIP backed flood insurance policies. Failure to correctly identify the community having floodplain management authority could result in FEMA denying a flood insurance claim.

Q: Which communities in North Dakota are participating in the National Flood Insurance Program?

A: The Community Status Book is currently the best tool to understand the status of participating communities as of July 31, 2025. Community Status Book: <https://www.fema.gov/cis/ND.pdf> Pages 1 – 12 list the participating communities. Pages 13 – 21 list the non-participating communities. Communities not listed are non-participating.

Q: Are there any requirements before my community can join the NFIP?

A: Communities must ensure they have the legal authority, per ND Century Code, to regulate development. Consultation with your community legal representative may be appropriate.

Q: Is my township able to join the NFIP if our county is not currently participating in the NFIP?

A: Based on a more recent legal opinion, it is our understanding of SB 2027, that county participation in the NFIP is not necessary for townships within that county to join.

Q: My county participates in the NFIP. Is my township automatically able to join the NFIP?

A: Before a township can participate in the NFIP, they must first obtain authority from their participating county.

Q: My city, county, or township is interested in joining the NFIP. Where can the information regarding enrollment be found?

A: Download a community application packet. https://www.dwr.nd.gov/reg_approp/floodplain_management/

Q: Why should my jurisdiction join the NFIP? What benefits do we gain as an enrolled participating community?

A: See the "Benefits of the NFIP" document on the DWR Website: https://www.dwr.nd.gov/reg_approp/floodplain_management/

Q: What happens if we don't join the NFIP?

A: Federally backed flood insurance will not be available to the community members and disaster assistance and mitigation dollars from FEMA will be reduced.

