

118TH CONGRESS
1ST SESSION

S. _____

To amend the Federal Crop Insurance Act to modify eligibility for prevented planting insurance under certain drought conditions, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. LUJÁN (for himself and Mr. MARSHALL) introduced the following bill;
which was read twice and referred to the Committee on

A BILL

To amend the Federal Crop Insurance Act to modify eligibility for prevented planting insurance under certain drought conditions, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting Farmers
5 from Drought Act of 2023”.

1 **SEC. 2. ELIGIBILITY FOR PREVENTED PLANTING INSUR-**
2 **ANCE UNDER CERTAIN DROUGHT CONDI-**
3 **TIONS.**

4 Section 508A(c) of the Federal Crop Insurance Act
5 (7 U.S.C. 1508a(c)) is amended by adding at the end the
6 following:

7 “(6) 1-IN-5 RULE FOR CERTAIN DROUGHT CON-
8 DITIONS.—

9 “(A) DEFINITIONS.—In this paragraph:

10 “(i) COVERED COUNTY.—The term
11 ‘covered county’ means a county that expe-
12 rienced, in each of 3 consecutive years, ex-
13 treme drought (D3 or worse intensity), as
14 measured by, and indicated in a report of,
15 the United States Drought Monitor, in any
16 area of the county at any time during the
17 normal planting period.

18 “(ii) COVERED RULE.—The term ‘cov-
19 ered rule’ means the eligibility requirement
20 for prevented planting insurance, described
21 in section 17(f)(8) of the most recent
22 version of the Common Crop Insurance
23 Policy Basic Provisions, under which plant-
24 ing of a crop must have occurred once in
25 the 4 most recent crop years preceding the

1 current crop year (commonly referred to as
2 the ‘1 in 4 rule’).

3 “(B) 1-IN-5 RULE.—The covered rule shall
4 be modified for a covered county to require the
5 planting of a crop once in the 5 most recent
6 crop years preceding the current crop year.”.