

THE FLORIDA SENATE
2011 SUMMARY OF LEGISLATION PASSED
Committee on Banking and Insurance

HB 4129 — Residential Property/Evaluation Grant Program (Chapter 2011-12, L.O.F.)

by Rep. Crisafulli (SB 638 by Senator Simmons)

The bill (Chapter 2011-12, L.O.F.) deletes s. 627.0629(8), F.S., relating to a grant program for the evaluation of residential property structural soundness. The program was established in 1997 for homeowners insured by the Florida Windstorm Underwriting Association (FWUA) to obtain evaluations of the wind resistance of their homes. The Department of Community Affairs was required by statute to establish by rule standards to govern evaluation, recommendations for retrofitting, the eligibility of those who would perform the evaluations, and the selection of the applicants to obtain the grants.

In 2002, the Florida Legislature combined the FWUA with the Florida Residential Property and Casualty Joint Underwriting Association (RPCJUA) and thereby created Citizens Property Insurance Corporation (Citizens). At that point, Citizens assumed the responsibility to administer the program. When the program was established, it was to be effected “to the extent that funds are provided for this purpose in the General Appropriations Act (GAA).” Representatives of the Division of Emergency Management within the Department of Community Affairs report that the agency has not promulgated rules to establish the grant program because funds have not been provided by the GAA. Representatives for Citizens state that no grants have been awarded since its inception in 2002 because funds have not been provided by the GAA. Because the program has never been activated, the bill deletes the language that created the program.

These provisions were approved by the Governor and take effect July 1, 2011.

Vote: Senate 37-0; House 112-6