

By the Committee on Banking and Insurance; and Senators  
Latvala and King

311-1623-01

1                                   A bill to be entitled  
2           An act relating to the Hurricane Loss  
3           Mitigation Program; amending s. 215.559, F.S.;  
4           providing for an allocation of appropriated  
5           funds to a specified school district; providing  
6           for the use of the allocated funds; specifying  
7           the amount of funds to be used to inspect and  
8           improve tie-downs for manufactured/mobile  
9           homes; requiring the Department of Community  
10          Affairs to contract with an administrative  
11          entity; revising the process for establishing  
12          an advisory council; providing for an annual  
13          report; extending the future repeal of the  
14          section; providing an effective date.  
15  
16   Be It Enacted by the Legislature of the State of Florida:  
17  
18           Section 1.   Section 215.559, Florida Statutes, is  
19   amended to read:  
20           215.559 Hurricane Loss Mitigation Program.--  
21           (1) There is created a Hurricane Loss Mitigation  
22   Program. The Legislature shall annually appropriate \$10  
23   million of the moneys authorized for appropriation under s.  
24   215.555(7)(c) from the Florida Hurricane Catastrophe Fund to  
25   the Department of Community Affairs for the purposes set forth  
26   in this section.  
27           (2)(a) Seven million dollars in funds provided in  
28   subsection (1) shall be used for programs to improve the wind  
29   resistance of residences and mobile homes, including loans,  
30   subsidies, grants, demonstration projects, and direct  
31   assistance; cooperative programs with local governments and

1 the Federal Government; and other efforts to prevent or reduce  
2 losses or reduce the cost of rebuilding after a disaster.

3 (b) Three million dollars in funds provided in  
4 subsection (1) shall be used to retrofit existing facilities  
5 used as public hurricane shelters. The department must  
6 prioritize the use of these funds for projects included in the  
7 September 1, 2000, version of the Shelter Retrofit Report  
8 prepared in accordance with s. 252.385(3), and each annual  
9 report thereafter. The department must give funding priority  
10 to projects in regional planning council regions that have  
11 shelter deficits and to projects that maximize use of state  
12 funds. For fiscal year 2001-2002, the department shall  
13 allocate \$500,000 to the school district with the largest  
14 school population, highest hurricane strike probability, and  
15 which is currently guided by the standard building code for  
16 use in a demonstration project. These funds may provide no  
17 more than 25 percent of the cost of a factory-built school  
18 shelter as provided in chapter 553. No more than 10 percent of  
19 the funds may be used for the development of a feasibility  
20 study for the future use of these structures for providing  
21 shelter space at existing school sites. The study must be  
22 forwarded to the department no later than February 1, 2002.

23 (3) Forty ~~At least 40~~ percent of the total  
24 appropriation in paragraph (2)(a) must be used to inspect and  
25 improve tie-downs for manufactured/mobile homes. Within 30  
26 days after the effective date of that appropriation, the  
27 department shall contract with a public higher educational  
28 institution in this state which has previous experience  
29 administering the programs set forth in this subsection to  
30 serve as the administrative entity and fiscal agent under s.  
31 216.346 for the purpose of administering the programs set

1 forth in this subsection in accordance with established policy  
2 and procedures.~~for loans, subsidies, grants, demonstration~~  
3 ~~projects, and direct assistance for the first year of the~~  
4 ~~programs shall be used for mobile homes, including programs to~~  
5 ~~inspect and improve tie-downs, construct and provide safety~~  
6 ~~structures, and provide other means to reduce losses. In the~~  
7 ~~second year of the programs, at least 30 percent of the total~~  
8 ~~appropriation shall be used for mobile homes, and thereafter~~  
9 ~~at least 20 percent shall be used for such purposes.~~

10 (4) Of moneys provided to the Department of Community  
11 Affairs, 10 percent shall be allocated to a ~~the Operations and~~  
12 ~~Maintenance Trust Fund in the general office of the Board of~~  
13 ~~Regents, to be used by the Type I Center within the State~~  
14 ~~University System dedicated to hurricane research.~~ The Type I  
15 Center shall, as approved by the advisory council under  
16 subsection (5), develop a preliminary work plan to eliminate  
17 the state and local barriers to upgrading existing  
18 manufactured/mobile homes and communities, research and  
19 develop a program for the recycling of existing, older  
20 manufactured/mobile homes, and to support programs of research  
21 and development relating to hurricane loss reduction devices  
22 and techniques for site-built residences ~~and mobile homes and~~  
23 ~~relating to the development of credible data on potential loss~~  
24 ~~reductions.~~ The State University System shall also consult  
25 with the Department of Community Affairs and assist the  
26 department with the report required under subsection (7).

27 (5) The Department of Community Affairs shall develop  
28 the programs in consultation with an advisory council  
29 ~~appointed by the secretary~~ consisting of a representative  
30 designated by ~~of~~ the Department of Insurance, a representative  
31 designated by the Florida Home Builders Association ~~of home~~

1 ~~builders~~, a representative designated by the Florida Insurance  
2 Council of insurance companies, a representative designated by  
3 ~~of~~ the Federation of Manufactured ~~Mobile~~ Home Owners, a  
4 representative designated by ~~of~~ the Florida Association of  
5 Counties, and a representative designated by ~~of~~ the Florida  
6 Manufactured Housing Association ~~who is a mobile home~~  
7 ~~manufacturer or supplier~~. The advisory council and its members  
8 are exempt from the provisions of chapter 112.

9 (6) Moneys provided to the Department of Community  
10 Affairs under this section are intended to supplement other  
11 funding sources of the Department of Community Affairs and may  
12 not supplant other funding sources of the Department of  
13 Community Affairs.

14 (7) On January 1st of each year ~~2001 and 2002~~, the  
15 Department of Community Affairs shall provide a full report  
16 and accounting of activities under this section and an  
17 evaluation of such activities to the Speaker of the House of  
18 Representatives, the President of the Senate, and the Majority  
19 and Minority Leaders of the House of Representatives and the  
20 Senate.

21 (8) This section is repealed June 30, 2006 ~~June 30,~~  
22 ~~2002.~~

23 Section 2. This act shall take effect upon becoming a  
24 law.

25  
26  
27  
28  
29  
30  
31

1                   STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
2   COMMITTEE SUBSTITUTE FOR  
3   SB 1612

4 The committee substitute amends section 215.559, F.S., to make  
5 the following changes regarding the Hurricane Loss Mitigation  
6 Program:

- 6       \*       Deletes the June 30, 2002, scheduled repeal of the  
7               section and provides for future repeal on June  
8               30,2006.
- 8       \*       Requires that for fiscal year 2001-2002, \$500,000  
9               of the \$3 million used for retrofitting facilities  
10              to be used as hurricane shelters, be allocated to  
11              the school district meeting certain criteria and  
12              limits amounts that may be used for the cost of a  
13              factory-built school shelter and that may be used  
14              for the development of a feasibility study for the  
15              future use of structures at existing school sites.
- 13       \*       Requires that 40 percent of the \$7 million  
14               appropriation for programs to improve the wind  
15               resistance of homes must be used to inspect and  
16               improve tie-downs for manufactured/mobile homes,  
17               and requires the Department of Community Affairs  
18               to contract with a public higher educational  
19               institution which has previous experience  
20               administering such programs.
- 17       \*       Requires that the university under contract with  
18               the department develop a preliminary work plan, as  
19               approved by the advisory council, to eliminate  
20               state and local barriers to upgrading existing  
21               manufactured/mobile homes and to research and  
22               develop a program for the recycling of existing  
23               homes.
- 21       \*       Deletes the authority for the department to  
22               appoint the advisory committee and, instead,  
23               provides that the designated agencies and  
24               associations currently on the advisory committee  
25               select their own representatives.
- 24       \*       Requires the department to annually provide to the  
25               Legislature a full report and accounting of the  
26               activities under this program and an evaluation of  
27               such activities.