

1 A bill to be entitled
 2 An act relating to the Protect Our Homes Loss Mitigation
 3 Fund; creating s. 215.558, F.S.; creating the Protect Our
 4 Homes Loss Mitigation Fund in the Office of Insurance
 5 Regulation of the Financial Services Commission; providing
 6 a purpose and legislative intent; providing definitions;
 7 providing for administration of the fund by a board;
 8 requiring the board to establish guidelines for use of
 9 appropriated funds; providing requirements of the board in
 10 providing financial incentives for residential hurricane
 11 damage prevention activities; providing for an interest-
 12 free loan program; providing criteria and requirements;
 13 creating the Protect Our Homes Loss Mitigation Board for
 14 certain purposes; providing for appointment of members;
 15 requiring members to serve without compensation; providing
 16 for per diem and travel expenses; providing for retention
 17 of funds in the fund from year to year; providing for
 18 future review and termination; providing an appropriation;
 19 providing a contingent effective date.

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 21 Be It Enacted by the Legislature of the State of Florida:

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 23 Section 1. Section 215.558, Florida Statutes, is created
 24 to read:

25 215.558 Protect Our Homes Loss Mitigation Fund.--
 26 (1) CREATION; PURPOSE AND INTENT.--The Protect Our Homes
 27 Loss Mitigation Fund is created within the Office of Insurance
 28 Regulation of the Financial Services Commission. The purpose of

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29 the fund is to provide a continuing source of funding for
30 financial incentives to encourage residential property owners of
31 this state to retrofit their properties to make them less
32 vulnerable to hurricane damage and to provide matching funds to
33 local governments and nonprofit entities for projects that will
34 reduce hurricane damage to residential properties. It is the
35 intent of the Legislature that this section be construed
36 liberally to effectuate its purpose.

37 (2) DEFINITIONS.--As used in this section:

38 (a) "Appropriation" means annual funds appropriated by the
39 Legislature to encourage hurricane loss mitigation efforts
40 throughout this state.

41 (b) "Board" means the Protect Our Homes Loss Mitigation
42 Board.

43 (c) "Fund" means the Protect Our Homes Loss Mitigation
44 Fund.

45 (3) ADMINISTRATION.--

46 (a) The board shall administer the fund as provided in
47 this section.

48 (b) The board shall review citizen requests and make
49 determinations on award amounts based upon recommendations made
50 by board staff.

51 (c) The board shall establish guidelines for use of
52 appropriated funds. The guidelines shall include a priority
53 schedule that makes effort to retrofit the most vulnerable homes
54 in the state first. It is the intent of the Legislature to make
55 it a priority to provide funds to homeowners who permanently
56 reside in their property throughout the year.

57 (4) FINANCIAL INCENTIVES FOR RESIDENTIAL HURRICANE DAMAGE
58 PREVENTION ACTIVITIES.--

59 (a) The board, by rule, shall establish a request for a
60 proposal process to annually solicit proposals from lending
61 institutions under which the lending institution will provide
62 interest-free loans to residential property owners to pay for
63 improvements to existing residential properties intended to
64 reduce the property's vulnerability to hurricane damage in
65 exchange for funding from the fund.

66 (b) In order to qualify for funding under this subsection,
67 an interest-free loan program must include a means for verifying
68 that the improvements to be paid for from loan proceeds have
69 been demonstrated to reduce a property's vulnerability to
70 hurricane damage and must include a means for verifying that the
71 proceeds were actually spent on such improvements. The program
72 must include a method for awarding loans according to the
73 priorities established by the board.

74 (5) PROTECT OUR HOMES LOSS MITIGATION BOARD.--The Protect
75 Our Homes Loss Mitigation Board is created to administer the
76 fund. The board shall consist of:

77 (a) A representative of lending institutions, selected by
78 the board from a list of at least three persons recommended by
79 the Florida Bankers Association.

80 (b) A representative of residential property insurers,
81 selected by the board from a list of at least three persons
82 recommended by the Florida Insurance Council.

83 (c) A representative of home builders, selected by the
84 board from a list of at least three persons recommended by the

85 Florida Home Builders Association.

86 (d) A faculty member of a state university selected by the
 87 board who is an expert in hurricane-resistant construction
 88 methodologies and materials.

89 (e) Two members of the House of Representatives selected
 90 by the Speaker of the House of Representatives.

91 (f) Two members of the Senate selected by the President of
 92 the Senate.

93 (g) The senior officer of the Florida Hurricane
 94 Catastrophe Fund.

95 (h) The executive director of the Citizens Property
 96 Insurance Corporation.

97 (i) The director of the Division of Emergency Management
 98 of the Department of Community Affairs.

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100 Members appointed under paragraphs (a)-(d) shall serve at the
 101 pleasure of the board. Members appointed under paragraphs (e)
 102 and (f) shall serve at the pleasure of the appointing officer
 103 and shall serve ex officio and in advisory capacity only.
 104 Members appointed under paragraphs (g)-(i) shall serve ex
 105 officio and in advisory capacity only. Members of the board
 106 shall serve without compensation but may receive reimbursement
 107 for per diem and travel expenses incurred in the performance of
 108 their official duties as provided in s. 112.061.

109 (6) CONTINUITY.--Notwithstanding the provisions of s.
 110 216.301 and pursuant to s. 216.351, any balance in the fund at
 111 the end of any fiscal year shall remain in the fund at the end

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112 of the year and shall be available for carrying out the purposes
113 of the fund.

114 (7) TERMINATION.--In accordance with s. 19(f)(2), Art. III
115 of the State Constitution, the Protect Our Homes Loss Mitigation
116 Fund, unless terminated sooner, shall be terminated on July 1,
117 2010. Before its scheduled termination, the fund shall be
118 reviewed as provided in s. 215.3206(1) and (2).

119 Section 2. The sum of \$500 million is appropriated from
120 the General Revenue Fund to the Protect Our Homes Loss
121 Mitigation Fund for fiscal year 2006-2007 as a nonrecurring
122 appropriation for the purposes specified in s. 215.558, Florida
123 Statutes, as created by this act.

124 Section 3. This act shall take effect on the same date
125 House Bill 1209 or similar legislation takes effect, if such
126 legislation is adopted in the same legislative session or an
127 extension thereof and becomes a law.