

1 A bill to be entitled

2 An act relating to hurricane preparedness and insurance;  
3 providing a short title; amending s. 215.5586, F.S.;  
4 revising criteria for wind certification and hurricane  
5 mitigation inspection entities; requiring a level 2  
6 background check for wind certification and hurricane  
7 mitigation inspectors; revising certain financial wind  
8 certification and mitigation grant criteria and use  
9 provisions; providing additional uses for grant funding  
10 for certain homeowners; authorizing the Department of  
11 Financial Services to contract with a not-for-profit  
12 corporation to conduct the Florida Comprehensive Hurricane  
13 Damage Mitigation Program and enhance awareness of the  
14 benefits of mitigation; creating part XV of chapter 468,  
15 Florida Statutes, consisting of s. 468.851, F.S.;  
16 providing for wind mitigation inspectors; providing  
17 definitions; authorizing the Department of Business and  
18 Professional Regulation to certify wind inspectors;  
19 providing for fees; providing for the department to issue  
20 certificates for wind mitigation inspectors; providing  
21 qualifications for applicants; providing continuing  
22 education requirements; requiring the department to adopt  
23 rules relating to education courses; prohibiting  
24 employment or operation as a wind mitigation inspector  
25 without a certificate; providing exceptions; providing  
26 procedures and requirements; specifying certain activities  
27 as grounds for disciplinary action; providing penalties;  
28 prohibiting certain activities; providing criminal

29 penalties; requiring the department to develop and  
30 maintain a list of wind mitigation inspectors and  
31 contractors; providing for validity of wind mitigation  
32 inspectors certification under certain provisions of law  
33 for a certain time; amending ss. 471.017 and 481.215,  
34 F.S.; authorizing certain boards to approve certain  
35 specialized continuing education courses; authorizing  
36 certain licensed engineers and architects to conduct  
37 inspections; amending s. 489.115, F.S.; including wind  
38 mitigation methodology studies under certain continuing  
39 education courses; authorizing certain certificateholders  
40 or registrants to conduct wind mitigation inspections  
41 under certain circumstances; amending s. 626.2815, F.S.;  
42 requiring continuing education for certain agents and  
43 customer representatives on the subject of premium  
44 discounts for hurricane mitigation options; amending s.  
45 627.062, F.S.; requiring certain rate filings to account  
46 for certain mitigation measures; amending s. 627.0629,  
47 F.S.; providing for reductions in deductibles for  
48 mitigation measures; amending s. 627.701, F.S.; requiring  
49 insurers to provide insureds options for certain  
50 deductibles, credits, or rate differentials; amending s.  
51 627.711, F.S.; requiring the Financial Services Commission  
52 to develop uniform mitigation verification inspection  
53 forms; providing duties of the commission; creating the  
54 Windstorm Mitigation Study Committee for the purpose of  
55 analyzing solutions and programs that could address the  
56 state's need to mitigate the effects of windstorms on

57 structures; providing for membership and qualifications;  
58 providing that the members are entitled to reimbursement  
59 for expenses incurred in connection with their duties;  
60 providing for reimbursement of travel expenses; requiring  
61 the Department of Financial Services, the Office of  
62 Insurance Regulation, the Citizens Property Insurance  
63 Corporation, and other state agencies to supply  
64 information, assistance, and facilities to the committee;  
65 requiring the department to provide staff assistance;  
66 specifying duties of the committee; requiring the  
67 committee to report to the Governor, the Legislature, the  
68 Chief Financial Officer, and the Commissioner of Insurance  
69 Regulation by a specified date; providing for expiration  
70 of the committee; requiring the Financial Services  
71 Commission to adopt a uniform home grading scale for  
72 certain purposes; providing criteria; providing an  
73 appropriation to the Department of Community Affairs for  
74 certain purposes; specifying use of funds; providing  
75 appropriations; providing effective dates.

76  
77 Be It Enacted by the Legislature of the State of Florida:

78  
79 Section 1. This act may be cited as the "Home Enhancement  
80 and Loss Prevention Act."

81 Section 2. Paragraph (b) of subsection (1) and subsection  
82 (2) of section 215.5586, Florida Statutes, are amended,  
83 paragraph (c) is added to subsection (1), and subsection (7) is  
84 added to that section, to read:

85           215.5586 Florida Comprehensive Hurricane Damage Mitigation  
 86 Program.--There is established within the Department of  
 87 Financial Services the Florida Comprehensive Hurricane Damage  
 88 Mitigation Program. This section does not create an entitlement  
 89 for property owners or obligate the state in any way to fund the  
 90 inspection or retrofitting of residential property in this  
 91 state. Implementation of this program is subject to annual  
 92 legislative appropriations. The program shall be administered by  
 93 an individual with prior executive experience in the private  
 94 sector in the areas of insurance, business, or construction. The  
 95 program shall develop and implement a comprehensive and  
 96 coordinated approach for hurricane damage mitigation that shall  
 97 include the following:

98           (1) WIND CERTIFICATION AND HURRICANE MITIGATION  
 99 INSPECTIONS.--

100           (b) To qualify for selection by the department as a  
 101 provider of wind certification and hurricane mitigation  
 102 inspections, the entity shall, at a minimum:

103           1. Use wind ~~certification and hurricane~~ mitigation  
 104 inspectors who:

105           a. Have prior experience in residential construction or  
 106 inspection and have received specialized training in hurricane  
 107 mitigation procedures.

108           b. Have undergone drug testing and level 2 background  
 109 checks pursuant to s. 435.04.

110           c. Have been certified as wind mitigation inspectors  
 111 pursuant to s. 468.851, ~~in a manner satisfactory to the~~  
 112 ~~department, to conduct the inspections.~~

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113 2. Provide a quality assurance program including a  
114 reinspection component.

115 (2) GRANTS.--Financial grants shall be used to encourage  
116 single-family, site-built, owner-occupied, residential property  
117 owners to retrofit their properties to make them less vulnerable  
118 to hurricane damage.

119 (a) To be eligible for a grant, a residential property  
120 must:

121 1. Have been granted a homestead exemption under chapter  
122 196.

123 2. Be a dwelling structure with an assessed ~~insured~~ value  
124 of \$500,000 or less.

125 3. Have undergone an acceptable wind certification and  
126 hurricane mitigation inspection, if the property is an existing  
127 structure.

128

129 A residential property which is part of a multifamily  
130 residential unit may receive a grant only if all homeowners  
131 participate and the total number of units does not exceed four.

132 (b) All grants must be matched on a dollar-for-dollar  
133 basis for a total of \$10,000 for the mitigation project with the  
134 state's contribution not to exceed \$5,000.

135 (c) The program shall create a process in which mitigation  
136 contractors agree to participate and seek reimbursement from the  
137 state and homeowners select from a list of participating  
138 contractors. All mitigation must be based upon the securing of  
139 all required local permits and inspections. Mitigation projects  
140 are subject to random reinspection of up to at least 10 percent

141 of all projects.

142 (d) Matching fund grants shall also be made available to  
 143 local governments and nonprofit entities for projects that will  
 144 reduce hurricane damage to single-family, site-built, owner-  
 145 occupied, residential property.

146 (e) Grants may be used for the following improvements:

- 147 1. Roof deck attachment~~.\_~~
- 148 2. Secondary water barrier~~.\_~~
- 149 3. Roof covering~~.\_~~
- 150 4. Brace gable ends~~.\_~~
- 151 5. Reinforce roof-to-wall connections~~.\_~~
- 152 6. Opening protection~~.\_~~~~and~~
- 153 7. Exterior doors, including garage doors.

154 (f) Grants may be used on a previously inspected existing  
 155 structure or on a rebuild. A rebuild is defined as a site-built,  
 156 single-family dwelling under construction to replace a home that  
 157 was destroyed or significantly damaged by a hurricane and deemed  
 158 unlivable by a regulatory authority. The homeowner must have had  
 159 a homestead exemption prior to the hurricane and maintained the  
 160 homestead exemption.

161 (g) ~~(f)~~ Low-income homeowners, as defined in s.  
 162 420.0004(10)~~(9)~~, who otherwise meet the requirements of  
 163 paragraphs (a), ~~and~~ (c), (e), and (f) are eligible for a grant  
 164 of up to \$5,000 and are not required to provide a matching  
 165 amount to receive the grant. Additionally, for low-income  
 166 homeowners, grant funding may be used for repair to existing  
 167 structures leading to any of the mitigation improvements  
 168 provided in paragraph (e), limited to 20 percent of the grant

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169 ~~value. Such grants shall be used to retrofit single family,~~  
170 ~~site-built, owner-occupied, residential properties in order to~~  
171 ~~make them less vulnerable to hurricane damage.~~

172 (7) CONTRACT WITH NOT-FOR-PROFIT CORPORATION.--The  
173 Department of Financial Services is authorized to contract with  
174 a not-for-profit corporation to conduct all or portions of the  
175 program and to increase the awareness of the benefits of  
176 mitigation among homeowners in this state. The department shall  
177 consider the not-for-profit corporation's ability to raise funds  
178 from the private sector to provide for mitigation grants, as  
179 well as administrative capabilities for conducting other  
180 business related to the program.

181 Section 3. Effective October 1, 2007, part XV of chapter  
182 468, Florida Statutes, consisting of section 468.851, Florida  
183 Statutes, is created to read:

184 PART XV

185 WIND MITIGATION INSPECTORS

186 468.851 Wind mitigation inspectors; certification;  
187 inspections.--

188 (1) For purposes of this section:

189 (a) "Wind mitigation inspection" means home-retrofit  
190 inspection of site-built residential property to determine  
191 mitigation measures and improvements to existing residential  
192 properties which measures and improvements are identified to  
193 reduce the property's vulnerability to hurricane wind damage and  
194 help prepare property owners for future tropical storms and  
195 hurricanes by providing information regarding deficiencies in  
196 structures that may be susceptible to damage due to high winds.

197        (b) "Wind mitigation inspector" means a person who is  
198 certified by the department under this section or, prior to  
199 December 31, 2007, approved by the Department of Financial  
200 Services pursuant to s. 215.5586, who acts as a wind mitigation  
201 inspector while conducting special inspections not required as  
202 minimum inspections by the Florida Building Code, and who is  
203 qualified to inspect and determine that residential buildings  
204 and structures can be retrofitted to resist near-hurricane and  
205 hurricane velocity winds in accordance with the provisions of  
206 this section.

207        (c) "Department" means the Department of Business and  
208 Professional Regulation.

209        (2) The department may:

210        (a) Adopt rules pursuant to ss. 120.536(1) and 120.54 to  
211 implement the provisions of this section.

212        (b) Certify individuals as being qualified under the  
213 provisions of this section as wind mitigation inspectors.

214        (c) Establish by rule fees to cover the costs of the  
215 program, of up to \$200 for each application or renewal.

216        (3) (a) Any person who desires to be certified under this  
217 section shall apply to the department, in writing, upon forms  
218 approved and furnished by the department. The department may  
219 approve the application for certification if the person:

220        1. Is at least 18 years of age.

221        2. Is of good moral character.

222        3. Provides proof, in a form established by department  
223 rule, that the applicant has satisfactorily completed classroom  
224 education courses for initial certification. The department may



225 establish by rule criteria for accepting alternative  
226 nonclassroom education or training.

227 (b) As a condition of each renewal the applicant shall  
228 provide proof, in a form established by department rule, that  
229 the applicant has satisfactorily completed continuing education  
230 courses during each biennium since the issuance or renewal of  
231 the certificate.

232 (c) The department shall establish by rule criteria for  
233 approval of initial education courses and continuing education  
234 courses and providers and may endorse or approve training  
235 conducted pursuant to s. 455.2179, s. 215.5586, or s. 215.559.  
236 Continuing education providers shall submit education  
237 information to the department pursuant to s. 455.2178.

238 (4) The department shall issue a certificate to any  
239 individual the department determines is qualified under this  
240 section. A person may not be employed by a state agency or local  
241 governmental authority or hold himself or herself out to the  
242 general public for compensation as a wind mitigation inspector  
243 without possessing the certificate issued in accordance with  
244 this section, except for licensed contractors, licensed  
245 professional engineers, and licensed architects that have  
246 satisfactorily completed a continuing education course in wind  
247 certification and hurricane mitigation approved pursuant to s.  
248 489.115.

249 (5) The following acts constitute grounds for which the  
250 disciplinary actions in subsection (6) may be taken:

251 (a) Violating or failing to comply with any provision of  
252 this section, or rule or lawful order of the department.

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253 (b) Obtaining certification through fraud, deceit, or  
254 perjury.

255 (c) Having been convicted of a felony against this state  
256 or the United States, or of a felony in another state that would  
257 have been a felony had it been committed in this state.

258 (d) Having been convicted of a crime in any jurisdiction  
259 which directly relates to the practice of wind mitigation  
260 inspection.

261 (e) Making or filing a report or record which the  
262 certificateholder knows to be false, knowingly inducing another  
263 to file a false report or record, knowingly failing to file a  
264 report or record required by state or local law, knowingly  
265 impeding or obstructing such filing, or knowingly inducing  
266 another person to impede or obstruct such filing.

267 (f) Failing to conduct proper wind mitigation inspections  
268 by committing willful misconduct, gross negligence, gross  
269 misconduct, repeated negligence, or negligence resulting in a  
270 significant danger to life or property.

271 (g) Having a certification or license suspended or being  
272 disciplined in another jurisdiction.

273 (6) When the department finds that any person has  
274 committed any of the acts set forth in subsection (5), the  
275 department may enter an order imposing one or more of the  
276 following penalties:

277 (a) Denial of an application for certification.

278 (b) Permanent revocation of a certificate.

279 (c) Suspension of a certificate.

280 (d) Imposition of an administrative fine not to exceed

281 \$5,000 for each separate offense. Such fine must be rationally  
 282 related to the gravity of the violation.

283 (e) Issuance of a reprimand.

284 (f) Placement of the certificateholder on probation for a  
 285 period of time and subject to such conditions as the department  
 286 may impose.

287 (g) Satisfactory completion of additional education or  
 288 training.

289 (h) Issuance of a citation.

290 (7) When a certificate is suspended, placed on probation,  
 291 or has conditions imposed, the department shall reinstate the  
 292 certificate upon proof the disciplined individual has complied  
 293 with all terms and conditions set forth in the final order.

294 (8) With respect to a wind mitigation inspector  
 295 certificate, a person may not:

296 (a) Falsely hold himself or herself out as a  
 297 certificateholder.

298 (b) Falsely impersonate a certificateholder.

299 (c) Present as his or her own the certificate of another.

300 (d) Give false or forged evidence to the department for  
 301 the purpose of obtaining a certificate.

302 (e) Use or attempt to use a certificate that has been  
 303 suspended or revoked.

304 (f) Threaten, coerce, persuade, or otherwise influence, or  
 305 attempt to threaten, coerce, persuade, or otherwise influence,  
 306 any certificateholder to violate any provision of this section.

307 (g) Offer any compensation to a certificateholder in order  
 308 to induce a violation of this part, a local building code or

309 ordinance, or another law of this state.

310 (9) Any person who violates any provision of this section  
311 commits a misdemeanor of the first degree, punishable as  
312 provided in s. 775.082 or s. 775.083. Any person who violates  
313 any provision of this section after a previous conviction for  
314 such violation commits a felony of the third degree, punishable  
315 as provided in s. 775.082 or s. 775.083.

316 (10) The department shall develop and maintain as a public  
317 record a current list of wind mitigation inspectors authorized  
318 to conduct wind mitigation inspections pursuant to this section  
319 and a list of contractors, architects, and engineers who are  
320 authorized to conduct wind mitigation inspections pursuant to  
321 ss. 489.115(4), 471.017(4), and 481.215(7), respectively.

322 Section 4. Wind mitigation inspectors that are approved by  
323 the Department of Financial Services pursuant to s. 215.5586,  
324 Florida Statutes, at the time of the effective date of the  
325 certification provisions of s. 468.851, Florida Statutes, shall  
326 be given until December 31, 2007, to comply with the  
327 certification requirements by making application to the  
328 Department of Business and Professional Regulation pursuant to  
329 s. 120.60, Florida Statutes. The Department of Financial  
330 Services shall provide a list of qualified wind mitigation  
331 inspectors employed as of September 30, 2007, by the wind  
332 certification entities approved pursuant to s. 215.5586, Florida  
333 Statutes. The provisions of s. 468.851(4), Florida Statutes,  
334 shall not restrict the Department of Financial Services from  
335 using the services of those individuals performing services  
336 pursuant to s. 215.5586, Florida Statutes, until December 31,

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338 Section 5. Subsection (4) is added to section 471.017,  
339 Florida Statutes, to read:

340 471.017 Renewal of license.--

341 (4) The board may approve specialized continuing education  
342 courses on wind mitigation methodologies which have been  
343 approved by the Department of Financial Services. Upon  
344 completion of such specialized wind mitigation courses, licensed  
345 engineers who demonstrate proficiency in wind mitigation  
346 methodologies may conduct wind mitigation inspections. For  
347 purposes of this subparagraph, the term "wind mitigation  
348 inspection" has the same meaning as provided in s. 468.851.

349 Section 6. Subsection (7) is added to section 481.215,  
350 Florida Statutes, to read:

351 481.215 Renewal of license.--

352 (7) The board may approve specialized continuing education  
353 courses on wind mitigation methodologies which have been  
354 approved by the Department of Financial Services. Upon  
355 completion of such specialized wind mitigation courses, licensed  
356 architects who demonstrate proficiency in wind mitigation  
357 methodologies may conduct wind mitigation inspections. For  
358 purposes of this subparagraph, the term "wind mitigation  
359 inspection" has the same meaning as provided in s. 468.851.

360 Section 7. Paragraph (b) of subsection (4) of section  
361 489.115, Florida Statutes, is amended to read:

362 489.115 Certification and registration; endorsement;  
363 reciprocity; renewals; continuing education.--

364 (4)

365 (b)1. Each certificateholder or registrant shall provide  
366 proof, in a form established by rule of the board, that the  
367 certificateholder or registrant has completed at least 14  
368 classroom hours of at least 50 minutes each of continuing  
369 education courses during each biennium since the issuance or  
370 renewal of the certificate or registration. The board shall  
371 establish by rule that a portion of the required 14 hours must  
372 deal with the subject of workers' compensation, business  
373 practices, and workplace safety. The board shall by rule  
374 establish criteria for the approval of continuing education  
375 courses and providers, including requirements relating to the  
376 content of courses and standards for approval of providers, and  
377 may by rule establish criteria for accepting alternative  
378 nonclassroom continuing education on an hour-for-hour basis. The  
379 board shall prescribe by rule the continuing education, if any,  
380 which is required during the first biennium of initial  
381 licensure. A person who has been licensed for less than an  
382 entire biennium must not be required to complete the full 14  
383 hours of continuing education.

384 2. In addition, the board may approve specialized  
385 continuing education courses on compliance with the wind  
386 resistance provisions for one and two family dwellings contained  
387 in the Florida Building Code and any alternate methodologies for  
388 providing such wind resistance which have been approved for use  
389 by the Florida Building Commission or wind mitigation  
390 methodologies which have been approved by the Department of  
391 Financial Services. Division I certificateholders or registrants  
392 who demonstrate proficiency upon completion of such specialized

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393 courses may certify plans and specifications for one and two  
394 family dwellings to be in compliance with the code or alternate  
395 methodologies, as appropriate, except for dwellings located in  
396 floodways or coastal hazard areas as defined in ss. 60.3D and E  
397 of the National Flood Insurance Program. Upon completion of such  
398 specialized wind mitigation courses, Division I  
399 certificateholders or registrants who demonstrate proficiency in  
400 wind mitigation methodologies may conduct wind mitigation  
401 inspections. For purposes of this subparagraph, the term "wind  
402 mitigation inspection" has the same meaning as provided in s.  
403 468.851.

404 3. Each certificateholder or registrant shall provide to  
405 the board proof of completion of the core curriculum courses, or  
406 passing the equivalency test of the Building Code Training  
407 Program established under s. 553.841, specific to the licensing  
408 category sought, within 2 years after commencement of the  
409 program or of initial certification or registration, whichever  
410 is later. Classroom hours spent taking core curriculum courses  
411 shall count toward the number required for renewal of  
412 certificates or registration. A certificateholder or registrant  
413 who passes the equivalency test in lieu of taking the core  
414 curriculum courses shall receive full credit for core curriculum  
415 course hours.

416 4. The board shall require, by rule adopted pursuant to  
417 ss. 120.536(1) and 120.54, a specified number of hours in  
418 specialized or advanced module courses, approved by the Florida  
419 Building Commission, on any portion of the Florida Building  
420 Code, adopted pursuant to part VII of chapter 553, relating to

421 the contractor's respective discipline.

422 Section 8. Paragraph (a) of subsection (3) of section  
423 626.2815, Florida Statutes, is amended to read:

424 626.2815 Continuing education required; application;  
425 exceptions; requirements; penalties.--

426 (3) (a) Each person subject to the provisions of this  
427 section must, except as set forth in paragraphs (b), (c), and  
428 (d), complete a minimum of 24 hours of continuing education  
429 courses every 2 years in basic or higher-level courses  
430 prescribed by this section or in other courses approved by the  
431 department. Each person subject to the provisions of this  
432 section must complete, as part of his or her required number of  
433 continuing education hours, 3 hours of continuing education,  
434 approved by the department, every 2 years on the subject matter  
435 of ethics. Each licensed general lines agent and customer  
436 representative subject to this section must complete, as part of  
437 his or her required number of continuing education hours, 1 hour  
438 of continuing education, approved by the department, every 2  
439 years on the subject matter of premium discounts available on  
440 property insurance policies based on various hurricane  
441 mitigation options and the means for obtaining the discounts.

442 Section 9. Paragraph (k) is added to subsection (2) of  
443 section 627.062, Florida Statutes, to read:

444 627.062 Rate standards.--

445 (2) As to all such classes of insurance:

446 (k) With respect to residential property insurance rate  
447 filings, the rate filing must account for mitigation measures  
448 undertaken by policyholders to reduce hurricane losses.



449  
450 The provisions of this subsection shall not apply to workers'  
451 compensation and employer's liability insurance and to motor  
452 vehicle insurance.

453 Section 10. Effective October 1, 2007, subsection (1) of  
454 section 627.0629, Florida Statutes, is amended to read:

455 627.0629 Residential property insurance; rate filings.--

456 (1) Effective June 1, 2002, a rate filing for residential  
457 property insurance must include actuarially reasonable  
458 discounts, credits, or other rate differentials, and, exclusive  
459 of discounts, credits, or other rate differentials, subject to  
460 deductible minimums set forth in s. 627.701, ~~or~~ appropriate  
461 reductions in deductibles, for properties on which fixtures or  
462 construction techniques demonstrated to reduce the amount of  
463 loss in a windstorm have been installed or implemented. The  
464 fixtures or construction techniques shall include, but not be  
465 limited to, fixtures or construction techniques which enhance  
466 roof strength, roof covering performance, roof-to-wall strength,  
467 wall-to-floor-to-foundation strength, opening protection, and  
468 window, door, and skylight strength. Credits, discounts, or  
469 other rate differentials, or appropriate reductions in  
470 deductibles, for fixtures and construction techniques which meet  
471 the minimum requirements of the Florida Building Code must be  
472 included in the rate filing. All insurance companies must make a  
473 rate filing which includes the credits, discounts, or other rate  
474 differentials or reductions in deductibles by February 28, 2003.  
475 By July 1, 2007, the office shall reevaluate the discounts,  
476 credits, other rate differentials, and appropriate reductions in

477 deductibles for fixtures and construction techniques that meet  
 478 the minimum requirements of the Florida Building Code, based  
 479 upon actual experience or any other loss relativity studies  
 480 available to the office. The office shall determine the  
 481 discounts, credits, other rate differentials, and appropriate  
 482 reductions in deductibles that reflect the full actuarial value  
 483 of such revaluation, which may be used by insurers in rate  
 484 filings.

485 Section 11. Subsection (9) of section 627.701, Florida  
 486 Statutes, is amended to read:

487 627.701 Liability of insureds; coinsurance; deductibles.--

488 (9) With respect to hurricane coverage provided in a  
 489 policy of residential coverage, when the policyholder has taken  
 490 appropriate hurricane mitigation measures regarding the  
 491 residence covered under the policy, the insurer shall ~~may~~  
 492 provide the insured the option of selecting an appropriate  
 493 reduction in the policy's hurricane deductible or ~~in lieu of~~  
 494 selecting the appropriate discount credit or other rate  
 495 differential as provided in s. 627.0629. ~~If made available by~~  
 496 ~~the insurer,~~ The insurer must provide the policyholder with  
 497 notice of the options available under this subsection on a form  
 498 approved by the office.

499 Section 12. Section 627.711, Florida Statutes, is amended  
 500 to read:

501 627.711 Notice of premium discounts for hurricane loss  
 502 mitigation; uniform mitigation verification inspection form.--

503 (1) Using a form prescribed by the Office of Insurance  
 504 Regulation, the insurer shall clearly notify the applicant or

505 policyholder of any personal lines residential property  
506 insurance policy, at the time of the issuance of the policy and  
507 at each renewal, of the availability and the range of each  
508 premium discount, credit, other rate differential, or reduction  
509 in deductibles for properties on which fixtures or construction  
510 techniques demonstrated to reduce the amount of loss in a  
511 windstorm can be or have been installed or implemented. The  
512 prescribed form shall describe generally what actions the  
513 policyholders may be able to take to reduce their windstorm  
514 premium. The prescribed form and a list of such ranges approved  
515 by the office for each insurer licensed in the state and  
516 providing such discounts, credits, other rate differentials, or  
517 reductions in deductibles for properties described in this  
518 subsection shall be available for electronic viewing and  
519 download from the Department of Financial Services' or the  
520 Office of Insurance Regulation's Internet website. The Financial  
521 Services Commission may adopt rules to implement this  
522 subsection.

523 (2) The Financial Services Commission shall develop by  
524 rule a uniform mitigation verification inspection form that  
525 shall be used by all insurers when factoring discounts for wind  
526 insurance. In developing the form, the commission shall seek  
527 input from insurance, construction, and building code  
528 representatives. Further, the commission shall provide guidance  
529 as to the length of time the inspection results are valid. This  
530 form shall be used in conjunction with the wind certification  
531 and hurricane mitigation inspections conducted by licensed and  
532 exempt professionals pursuant to ss. 215.5586 and 468.851.

533           Section 13. Windstorm Mitigation Study Committee.--

534           (1) (a) The Windstorm Mitigation Study Commission is  
535 created and shall be composed of eight members as follows:

536           1. Two members shall be appointed by the Governor, with  
537 one designated by the Governor to serve as chair.

538           2. Two members shall be appointed by the Chief Financial  
539 Officer.

540           3. Two members shall be appointed by the President of the  
541 Senate.

542           4. Two members shall be appointed by the Speaker of the  
543 House of Representatives.

544           (b) Each member must be knowledgeable of issues concerning  
545 the mitigation of the effects of windstorms on structures in  
546 this state and at least one member must represent primarily the  
547 interests of homeowners.

548           (2) (a) The members of the committee shall serve without  
549 compensation, but are entitled to reimbursement for all  
550 necessary expenses incurred in performing their duties,  
551 including travel expenses, in accordance with s. 112.061,  
552 Florida Statutes. Reimbursements for travel shall be paid by the  
553 appointing entity.

554           (b) The committee shall meet as necessary, at the call of  
555 the chair, and at the time and place designated by the chair.  
556 The committee may conduct its meetings through teleconferences  
557 or other similar means. The first meeting of the committee shall  
558 occur no later than February 9, 2007.

559           (3) The Department of Financial Services, the Office of  
560 Insurance Regulation, the Citizens Property Insurance

561 Corporation, and other agencies of this state shall supply any  
562 information, assistance, and facilities that are considered  
563 necessary by the committee to carry out its duties under this  
564 section. The department shall provide staff assistance as  
565 necessary in order to carry out the required clerical and  
566 administrative functions of the committee.

567 (4) The committee shall analyze those solutions and  
568 programs that address the state's acute need to mitigate the  
569 effects of windstorms on structures, especially residential  
570 property that is located in areas at greatest risk of windstorm  
571 damage, including programs or proposals that provide for:

572 (a) The availability of home inspections for windstorm  
573 resistance.

574 (b) Grants to assist homeowners, and possibly other groups  
575 of property owners, to harden their property against windstorm  
576 damage.

577 (c) The full actuarial value to be reflected in premium  
578 credits for windstorm mitigation.

579 (d) The most effective way to inform policyholders of the  
580 availability of and means by which to obtain premium credits for  
581 windstorm mitigation.

582 (e) Coordination among federal, local, and private  
583 initiatives.

584 (f) Streamlining or strengthening applicable state,  
585 regional, and local regulations.

586 (g) The stimulation of public and private efforts to  
587 mitigate against windstorm injury and damage.

588 (h) The discovery and assessment of funding sources for

589 windstorm mitigation.

590 (i) Tax incentives for windstorm mitigation.

591 (j) Consumer information concerning the benefits of  
592 windstorm mitigation, including personal safety as well as  
593 property security.

594 (k) Research on windstorm mitigation.

595

596 The committee may develop any other solutions and programs that  
597 it considers appropriate.

598 (5) In performing its analysis, the committee shall  
599 consider both the safety of the residents of this state and the  
600 protection of real property, especially residential. In  
601 addition, the committee shall consider both short-term and long-  
602 term solutions and programs.

603 (6) The committee shall review, evaluate, and make  
604 recommendations regarding existing and proposed programs and  
605 initiatives for mitigating windstorm damage.

606 (7) The committee shall provide recommendations, including  
607 proposed legislation, to the Governor, the President of the  
608 Senate, the Speaker of the House of Representatives, the Chief  
609 Financial Officer, and the Commissioner of Insurance Regulation  
610 by March 6, 2007.

611 (8) The committee shall expire on May 15, 2007.

612 Section 14. The Financial Services Commission shall adopt  
613 a uniform home grading scale to grade the ability of a home to  
614 withstand the wind load from a sustained severe tropical storm  
615 or hurricane. The commission shall coordinate with the Office of  
616 Insurance Regulation, the Department of Financial Services, and

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617 the Department of Community Affairs in developing the grading  
618 scale, which must be based upon and consistent with the rating  
619 system required by chapter 2006-12, Laws of Florida. The  
620 commission shall adopt the uniform grading scale by rule no  
621 later than June 30, 2007.

622       Section 15. For fiscal year 2006-2007, the sum of  
623 \$100,066,518 is appropriated in fixed capital outlay from the  
624 Florida Small Cities Community Development Block Grant Program  
625 Fund to the Department of Community Affairs. These funds shall  
626 be used consistent with The Federal Register, Vol. 71, No. 209,  
627 Docket No. FR-5089-N-01, and the Action Plan for Disaster  
628 Recovery Approved by the United States Department of Housing and  
629 Urban Development. This funding shall be used to harden single-  
630 family and multifamily housing to ensure that affordable  
631 housing can withstand the effects of hurricane force winds and  
632 to mitigate against the increasing costs of insurance. Funds may  
633 also be used to support housing rehabilitation or repair and  
634 infrastructure development or improvement in accordance with the  
635 approved action plan.

636       Section 16. For fiscal year 2006-2007, there is  
637 appropriated \$1,761,000 from the Department of Business and  
638 Professional Regulation's Professional Regulation Trust Fund and  
639 5 FTE to the Department of Business and Professional Regulation  
640 for the purposes of implementing section 3 of this act.

641       Section 17. For fiscal year 2006-2007, there is  
642 appropriated \$2,000,000 from the Department of Financial  
643 Services' Insurance Regulatory Trust Fund to the Department of

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644 Financial Services for the purposes of implementing section 14  
645 of this act.

646 Section 18. Except as otherwise expressly provided in this  
647 act, this act shall take effect upon becoming a law.