

1                                   A bill to be entitled  
 2           An act relating to low-income and moderate-income  
 3           homeowners; providing for counties to establish a fund for  
 4           providing no-interest loans to assist low-income and  
 5           moderate-income homeowners in paying homeowners' insurance  
 6           premiums; authorizing the governing authority of a county  
 7           to levy surtaxes on building-related permits to finance  
 8           the assistance fund; limiting the amount a family may  
 9           receive from the fund in any year; requiring that a loan  
 10          be repaid if the homestead is sold or refinanced;  
 11          requiring that any proceeds from refinancing or selling a  
 12          homestead be deposited back into the fund; defining the  
 13          terms "low-income family" and "moderate-income family";  
 14          providing requirements for the ordinance levying the  
 15          surtax and creating the fund; specifying the amount of the  
 16          surtaxes; providing limitations on the use of the fund;  
 17          providing for the program to be adopted initially by the  
 18          governing authority of certain constitutional charter  
 19          counties and for later adoption in the remaining counties  
 20          of the state; providing effective dates.

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

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 24           Section 1. Low-Income and Moderate-Income Homeowners'  
 25           Insurance Premium Assistance Pilot Program.--

26           (1) The governing authority of each county may levy a  
 27           discretionary surtax on building-related permits for the purpose  
 28           of establishing and financing a Low and Moderate Income

29 Insurance Assistance Fund. This fund shall be used to make no-  
 30 interest loans to assist low-income and moderate-income families  
 31 who own homestead property in paying their homeowners' insurance  
 32 premiums. These loans shall be made on a first-come, first-to-  
 33 qualify basis. Seventy-five percent of the revenue in the fund  
 34 in each county shall be used to provide loan assistance to low-  
 35 income families and 25 percent of the revenue in the fund shall  
 36 be used to provide loan assistance to moderate-income families.  
 37 The maximum amount of any loan that a low-income family or  
 38 moderate-income family may receive from the fund is \$2,000 per  
 39 year, and a check from the fund must be made payable to the  
 40 homeowner's insurance company. When a homeowner who has received  
 41 a loan from the fund sells or refinances his or her homestead  
 42 property, that loan must be repaid from the proceeds of the sale  
 43 or refinancing. Repayment of a loan made from the fund may be  
 44 collected by the method provided for in ss. 197.3632 and  
 45 197.3635, Florida Statutes, for non-ad valorem assessments, and  
 46 may also be collected by any alternative method that is  
 47 authorized by law. Any proceeds of repayment must be deposited  
 48 into the Low and Moderate Income Insurance Assistance Fund. As  
 49 used in this section, "low-income family" means a family whose  
 50 income does not exceed 80 percent of the median income for the  
 51 area and "moderate-income family" means a family whose income is  
 52 in excess of 80 percent but less than 140 percent of the median  
 53 income for the area.

54 (2) The levy of the discretionary surtax and the creation  
 55 of a Low and Moderate Income Insurance Assistance Fund shall be  
 56 by an ordinance that sets forth the policies and procedures of

57 the assistance program. The discretionary surtax must be levied  
58 as set forth in subsection (3). The ordinance shall be proposed  
59 at a regular meeting of the governing authority at least 2 weeks  
60 prior to formal adoption. Formal adoption is not effective  
61 unless approved on final vote by a majority of the total  
62 membership of the governing authority. The ordinance may not  
63 take effect until 90 days after formal adoption.

64 (3) The county shall levy the discretionary surtax as  
65 follows:

66 (a) One dollar per permit for building-related permits  
67 that are less than \$11.

68 (b) Two dollars per permit for building-related permits  
69 that are \$11 to \$99.99.

70 (c) Five dollars per permit for building-related permits  
71 that are \$100 to \$499.99.

72 (d) Twenty-five dollars per permit for building-related  
73 permits that are \$500 to \$999.99.

74 (e) Fifty dollars per permit for building-related permits  
75 that are \$1,000 or more.

76 (4) The county shall deposit 90 percent of the revenues  
77 from the discretionary surtax in the Low and Moderate Income  
78 Insurance Assistance Fund of the county. Ten percent of the  
79 revenues may be used for administrative costs. Any interest  
80 earned from the fund must remain in the fund. The county shall  
81 use the revenues in the fund only to offer low-income and  
82 moderate-income families financial assistance with their  
83 homeowners' insurance premium payments on their homestead  
84 property, to pay necessary costs of collection and enforcement

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85 of the surtax, and to fund any local matching contributions  
86 required pursuant to federal law for the Low-Income and  
87 Moderate-Income Homeowners' Insurance Premium Assistance Pilot  
88 Program. The proceeds of the surtax may not be used for rent  
89 subsidies or grants.

90 Section 2. Effective July 1, 2008, the Low-Income and  
91 Moderate-Income Homeowners' Insurance Premium Assistance Pilot  
92 Program may be adopted only by the governing authority of a  
93 county as defined in s. 125.011(1), Florida Statutes. Effective  
94 July 1, 2009, the Low-Income and Moderate-Income Homeowners'  
95 Insurance Premium Assistance Pilot Program may be adopted by the  
96 governing authorities of the remaining counties in the state.

97 Section 3. Except as otherwise expressly provided in this  
98 act, this act shall take effect July 1, 2008.