



812022

597-04286-08

Proposed Committee Substitute by the Committee on Banking and
Insurance

1 A bill to be entitled

2 An act relating to the My Safe Florida Home Program;
3 amending s. 215.5586, F.S.; requiring that wind
4 certification entities meet certain minimum criteria to
5 qualify for selection by the Department of Financial
6 Services; deleting a provision requiring hurricane
7 mitigation inspectors participating in the program to
8 meet the requirements for a criminal record check by a
9 specified date; authorizing the department to require
10 that improvements be made to all openings of a
11 structure, including exterior doors and garage doors,
12 as a condition of reimbursing a homeowner for a grant;
13 authorizing the department to contract with third
14 parties for contractor services and technology;
15 amending s. 627.711, F.S.; requiring insurers to accept
16 as valid certain uniform inspection forms; providing an
17 effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:

20
21 Section 1. Subsection (1), paragraph (e) of subsection (2),
22 and subsection (10) of section 215.5586, Florida Statutes, are
23 amended to read:

24 215.5586 My Safe Florida Home Program.--There is
25 established within the Department of Financial Services the My
26 Safe Florida Home Program. The department shall provide fiscal
27 accountability, contract management, and strategic leadership for



812022

597-04286-08

28 | the program, consistent with this section. This section does not
29 | create an entitlement for property owners or obligate the state
30 | in any way to fund the inspection or retrofitting of residential
31 | property in this state. Implementation of this program is subject
32 | to annual legislative appropriations. It is the intent of the
33 | Legislature that the My Safe Florida Home Program provide
34 | inspections for at least 400,000 site-built, single-family,
35 | residential properties and provide grants to at least 35,000
36 | applicants before June 30, 2009. The program shall develop and
37 | implement a comprehensive and coordinated approach for hurricane
38 | damage mitigation that shall include the following:

39 | (1) HURRICANE MITIGATION INSPECTIONS.--

40 | (a) Free home-retrofit inspections of site-built, single-
41 | family, residential property shall be offered throughout the
42 | state to determine what mitigation measures are needed, what
43 | insurance premium discounts may be available, and what
44 | improvements to existing residential properties are needed to
45 | reduce the property's vulnerability to hurricane damage. The
46 | Department of Financial Services shall contract with wind
47 | certification entities to provide free hurricane mitigation
48 | inspections. The inspections provided to homeowners, at a
49 | minimum, must include:

50 | 1. A home inspection and report that summarizes the results
51 | and identifies recommended improvements a homeowner may take to
52 | mitigate hurricane damage.

53 | 2. A range of cost estimates regarding the recommended
54 | mitigation improvements.

55 | 3. Insurer-specific information regarding premium discounts
56 | correlated to the current mitigation features and the recommended
57 | mitigation improvements identified by the inspection.



812022

597-04286-08

58 | 4. A hurricane resistance rating scale specifying the
59 | home's current as well as projected wind resistance capabilities.
60 | As soon as practical, the rating scale must be the uniform home
61 | grading scale adopted by the Financial Services Commission
62 | pursuant to s. 215.55865.

63 | (b) To qualify for selection by the department as a wind
64 | certification entity to provide hurricane mitigation inspections,
65 | the entity shall, at a minimum:

66 | 1. Use hurricane mitigation inspectors who:

67 | a. Are certified as building inspectors under s. 468.607;

68 | b. Are licensed as a general or residential contractor
69 | under s. 489.111;

70 | c. Are licensed as a professional engineer under s. 471.015
71 | and who have passed the appropriate equivalency test of the
72 | Building Code Training Program as required by s. 553.841; or

73 | d. Are licensed as a professional architect under s.
74 | 481.213.

75 | 2. Use hurricane mitigation inspectors who:

76 | a. Have at least 2 years of prior experience in residential
77 | construction or residential building inspection and have received
78 | specialized training in hurricane mitigation procedures. Such
79 | training may be provided by a class offered online or in person; ~~or~~

80 | b. Have undergone drug testing and level 2 background
81 | checks pursuant to s. 435.04. The department is authorized to
82 | conduct criminal record checks of inspectors used by wind
83 | certification entities. Inspectors must submit a set of the
84 | fingerprints to the department for state and national criminal
85 | history checks and must pay the fingerprint processing fee set
86 | forth in s. 624.501. The fingerprints shall be sent by the
87 | department to the Department of Law Enforcement and forwarded to



812022

597-04286-08

88 the Federal Bureau of Investigation for processing. The results
89 shall be returned to the department for screening. The
90 fingerprints shall be taken by a law enforcement agency,
91 designated examination center, or other department-approved
92 entity; ~~and. Hurricane mitigation inspectors participating in the~~
93 ~~program on January 25, 2007, shall have until June 1, 2007, to~~
94 ~~meet the requirements for a criminal record check.~~

95 c. Have been certified, in a manner satisfactory to the
96 department, to conduct the inspections.

97 ~~3.2.~~ Provide a quality assurance program including a
98 reinspection component.

99 (c) The department shall implement a quality assurance
100 program that includes a statistically valid number of
101 reinspections.

102 ~~(d)-(e)~~ An application for an inspection must contain a
103 signed or electronically verified statement made under penalty of
104 perjury that the applicant has submitted only a single
105 application for that home.

106 ~~(e)-(d)~~ The owner of a site-built, single-family,
107 residential property may apply for and receive an inspection
108 without also applying for a grant pursuant to subsection (2) and
109 without meeting the requirements of paragraph (2) (a).

110 (2) MITIGATION GRANTS.--Financial grants shall be used to
111 encourage single-family, site-built, owner-occupied, residential
112 property owners to retrofit their properties to make them less
113 vulnerable to hurricane damage.

114 (e) When recommended by a hurricane mitigation inspection,
115 grants may be used for the following improvements only:

- 116 1. Opening protection.
- 117 2. Exterior doors, including garage doors.



812022

597-04286-08

118 | 3. Brace gable ends.

119 |

120 | The department may require that improvements be made to all
121 | openings, including exterior doors and garage doors, as a
122 | condition of reimbursing a homeowner approved ~~approving an~~
123 | ~~application for a grant if the department determines that~~
124 | ~~improvements to less than all openings would not substantially~~
125 | ~~improve the structure's ability to withstand hurricane damage.~~

126 | (10) CONTRACT MANAGEMENT.--The department may contract with
127 | third parties for grants management, inspection services,
128 | contractor services for low-income homeowners, information
129 | technology, educational outreach, and auditing services. Such
130 | contracts shall be considered direct costs of the program and
131 | shall not be subject to administrative cost limits, but contracts
132 | valued at \$500,000 or more shall be subject to review and
133 | approval by the Legislative Budget Commission. The department
134 | shall contract with providers that have a demonstrated record of
135 | successful business operations in areas directly related to the
136 | services to be provided and shall ensure the highest
137 | accountability for use of state funds, consistent with this
138 | section.

139 | Section 2. Subsection (2) of section 627.711, Florida
140 | Statutes, is amended to read:

141 | 627.711 Notice of premium discounts for hurricane loss
142 | mitigation; uniform mitigation verification inspection form.--

143 | (2) By July 1, 2007, the Financial Services Commission
144 | shall develop by rule a uniform mitigation verification
145 | inspection form that shall be used by all insurers when factoring
146 | discounts for wind insurance. In developing the form, the
147 | commission shall seek input from insurance, construction, and



812022

597-04286-08

148 | building code representatives. Further, the commission shall
149 | provide guidance as to the length of time the inspection results
150 | are valid. An insurer shall accept as valid a uniform mitigation
151 | verification form signed by an approved My Safe Florida Home wind
152 | inspector or certified by the Department of Financial Services.

153 | Section 3. This act shall take effect July 1, 2008.