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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 meet
8 the requirements for a criminal record check by a
9 specified date; authorizing the department to require that
10 improvements be made to all openings of a structure,
11 including exterior doors and garage doors, as a condition
12 of reimbursing a homeowner for a grant; deleting a
13 provision authorizing the department to transfer certain
14 funds to Volunteer Florida Foundation, Inc., for certain
15 purposes; deleting a requirement that Volunteer Florida,
16 Inc., undertake certain activities; authorizing the
17 department to contract with third parties for contractor
18 services and technology; amending s. 627.711, F.S.;
19 requiring insurers to accept as valid uniform mitigation
20 verification forms certified by the department or signed
21 by certain professionals; providing an effective date.

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

24
25 Section 1. Subsection (1), paragraphs (e) and (j) of
26 subsection (2), and subsection (10) of section 215.5586, Florida
27 Statutes, are amended to read:

28 215.5586 My Safe Florida Home Program.--There is
29 established within the Department of Financial Services the My

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

43 (1) HURRICANE MITIGATION INSPECTIONS.--

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

54 1. A home inspection and report that summarizes the results
55 and identifies recommended improvements a homeowner may take to
56 mitigate hurricane damage.

57 2. A range of cost estimates regarding the recommended
58 mitigation improvements.

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59 3. Insurer-specific information regarding premium discounts
60 correlated to the current mitigation features and the recommended
61 mitigation improvements identified by the inspection.

62 4. A hurricane resistance rating scale specifying the
63 home's current as well as projected wind resistance capabilities.
64 As soon as practical, the rating scale must be the uniform home
65 grading scale adopted by the Financial Services Commission
66 pursuant to s. 215.55865.

67 (b) To qualify for selection by the department as a wind
68 certification entity to provide hurricane mitigation inspections,
69 the entity shall, at a minimum, meet the following requirements:

70 1. Use hurricane mitigation inspectors who:

71 a. Are certified as a building inspector under s. 468.607;

72 b. Are licensed as a general or residential contractor
73 under s. 489.111;

74 c. Are licensed as a professional engineer under s. 471.015
75 and who have passed the appropriate equivalency test of the
76 Building Code Training Program as required by s. 553.841;

77 d. Are licensed as a professional architect under s.
78 481.213; or

79 e.a. Have at least 2 years ~~prior~~ experience in residential
80 construction or residential building inspection and have received
81 specialized training in hurricane mitigation procedures. Such
82 training may be provided by a class offered online or in person.

83 2. Use hurricane mitigation inspectors who also:

84 a.b. Have undergone drug testing and level 2 background
85 checks pursuant to s. 435.04. The department may ~~is authorized to~~
86 conduct criminal record checks of inspectors used by wind
87 certification entities. Inspectors must submit a set of the

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88 fingerprints to the department for state and national criminal
89 history checks and must pay the fingerprint processing fee set
90 forth in s. 624.501. The fingerprints shall be sent by the
91 department to the Department of Law Enforcement and forwarded to
92 the Federal Bureau of Investigation for processing. The results
93 shall be returned to the department for screening. The
94 fingerprints shall be taken by a law enforcement agency,
95 designated examination center, or other department-approved
96 entity; ~~and. Hurricane mitigation inspectors participating in the~~
97 ~~program on January 25, 2007, shall have until June 1, 2007, to~~
98 ~~meet the requirements for a criminal record check.~~

99 ~~b.e.~~ Have been certified, in a manner satisfactory to the
100 department, to conduct the inspections.

101 ~~3.2.~~ Provide a quality assurance program including a
102 reinspection component.

103 (c) The department shall implement a quality assurance
104 program that includes a statistically valid number of
105 reinspections.

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

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

114 (2) MITIGATION GRANTS.--Financial grants shall be used to
115 encourage single-family, site-built, owner-occupied, residential

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116 property owners to retrofit their properties to make them less
117 vulnerable to hurricane damage.

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

- 120 1. Opening protection.
- 121 2. Exterior doors, including garage doors.
- 122 3. Brace gable ends.

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

130 ~~(j) The department shall transfer the amount of \$40 million~~
131 ~~from funds appropriated to the program, including up to 5 percent~~
132 ~~for administrative costs, to Volunteer Florida Foundation, Inc.,~~
133 ~~for provision of inspections and grants to low-income homeowners,~~
134 ~~as defined in s. 420.0004(10), consistent with this section.~~
135 ~~Volunteer Florida Foundation, Inc., shall be responsible for~~
136 ~~inspections and grants management for low-income homeowners and~~
137 ~~shall report its activities and account for state funds on a~~
138 ~~quarterly and annual basis to the Chief Financial Officer, the~~
139 ~~President of the Senate, and the Speaker of the House of~~
140 ~~Representatives.~~

141 (10) CONTRACT MANAGEMENT.--The department may contract with
142 third parties for grants management, inspection services,
143 contractor services for low-income homeowners, information
144 technology, educational outreach, and auditing services. Such

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145 contracts shall be considered direct costs of the program and
146 shall not be subject to administrative cost limits, but contracts
147 valued at \$500,000 or more shall be subject to review and
148 approval by the Legislative Budget Commission. The department
149 shall contract with providers that have a demonstrated record of
150 successful business operations in areas directly related to the
151 services to be provided and shall ensure the highest
152 accountability for use of state funds, consistent with this
153 section.

154 Section 2. Subsection (2) of section 627.711, Florida
155 Statutes, is amended to read:

156 627.711 Notice of premium discounts for hurricane loss
157 mitigation; uniform mitigation verification inspection form.--

158 (2) By July 1, 2007, the Financial Services Commission
159 shall develop by rule a uniform mitigation verification
160 inspection form that shall be used by all insurers when submitted
161 by policyholders for the purpose of factoring discounts for wind
162 insurance. In developing the form, the commission shall seek
163 input from insurance, construction, and building code
164 representatives. Further, the commission shall provide guidance
165 as to the length of time the inspection results are valid. An
166 insurer shall accept as valid a uniform mitigation verification
167 form certified by the Department of Financial Services or signed
168 by:

169 (a) A hurricane mitigation inspector employed by an
170 approved My Safe Florida Home wind certification entity;

171 (b) A building code inspector certified under s. 468.607;

172 (c) A general or residential contractor licensed under s.
173 489.111;

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174 (d) A professional engineer licensed under s. 471.015 who
175 has passed the appropriate equivalency test of the Building Code
176 training program as required by s. 553.841; or

177 (e) A professional architect licensed under s. 481.213.
178 Section 3. This act shall take effect July 1, 2008.