



231502

CHAMBER ACTION

Senate

House

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Floor: 1/RE/3R  
4/30/2008 1:33 PM

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1 Senator Justice moved the following **amendment**:

2  
3 **Senate Amendment (with title amendment)**

4 Delete everything after the enacting clause  
5 and insert:

6 Section 1. Subsection (1), paragraphs (e) and (j) of  
7 subsection (2), and subsection (10) of section 215.5586, Florida  
8 Statutes, are amended to read:

9 215.5586 My Safe Florida Home Program.--There is  
10 established within the Department of Financial Services the My  
11 Safe Florida Home Program. The department shall provide fiscal  
12 accountability, contract management, and strategic leadership for  
13 the program, consistent with this section. This section does not  
14 create an entitlement for property owners or obligate the state  
15 in any way to fund the inspection or retrofitting of residential  
16 property in this state. Implementation of this program is subject  
17 to annual legislative appropriations. It is the intent of the



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18 | Legislature that the My Safe Florida Home Program provide  
19 | inspections for at least 400,000 site-built, single-family,  
20 | residential properties and provide grants to at least 35,000  
21 | applicants before June 30, 2009. The program shall develop and  
22 | implement a comprehensive and coordinated approach for hurricane  
23 | damage mitigation that shall include the following:

24 |       (1) HURRICANE MITIGATION INSPECTIONS.--

25 |       (a) Free home-retrofit inspections of site-built, single-  
26 | family, residential property shall be offered throughout the  
27 | state to determine what mitigation measures are needed, what  
28 | insurance premium discounts may be available, and what  
29 | improvements to existing residential properties are needed to  
30 | reduce the property's vulnerability to hurricane damage. The  
31 | Department of Financial Services shall contract with wind  
32 | certification entities to provide free hurricane mitigation  
33 | inspections. The inspections provided to homeowners, at a  
34 | minimum, must include:

35 |           1. A home inspection and report that summarizes the results  
36 | and identifies recommended improvements a homeowner may take to  
37 | mitigate hurricane damage.

38 |           2. A range of cost estimates regarding the recommended  
39 | mitigation improvements.

40 |           3. Insurer-specific information regarding premium discounts  
41 | correlated to the current mitigation features and the recommended  
42 | mitigation improvements identified by the inspection.

43 |           4. A hurricane resistance rating scale specifying the  
44 | home's current as well as projected wind resistance capabilities.  
45 | As soon as practical, the rating scale must be the uniform home  
46 | grading scale adopted by the Financial Services Commission  
47 | pursuant to s. 215.55865.



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

51 1. Use hurricane mitigation inspectors who:

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

53 b. Are licensed as a general or residential contractor  
54 under s. 489.111;

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

58 d. Are licensed as a professional architect under s.  
59 481.213; or

60 e.a. Have at least 2 years of ~~prior~~ experience in  
61 residential construction or residential building inspection and  
62 have received specialized training in hurricane mitigation  
63 procedures. Such training may be provided by a class offered  
64 online or in person.

65 2. Use hurricane mitigation inspectors who also:

66 a.b. Have undergone drug testing and level 2 background  
67 checks pursuant to s. 435.04. The department may ~~is authorized to~~  
68 conduct criminal record checks of inspectors used by wind  
69 certification entities. Inspectors must submit a set of the  
70 fingerprints to the department for state and national criminal  
71 history checks and must pay the fingerprint processing fee set  
72 forth in s. 624.501. The fingerprints shall be sent by the  
73 department to the Department of Law Enforcement and forwarded to  
74 the Federal Bureau of Investigation for processing. The results  
75 shall be returned to the department for screening. The  
76 fingerprints shall be taken by a law enforcement agency,  
77 designated examination center, or other department-approved



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78 ~~entity; and. Hurricane mitigation inspectors participating in the~~  
79 ~~program on January 25, 2007, shall have until June 1, 2007, to~~  
80 ~~meet the requirements for a criminal record check.~~

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

83 ~~3.2.~~ Provide a quality assurance program including a  
84 reinspection component.

85 (c) The department shall implement a quality assurance  
86 program that includes a statistically valid number of  
87 reinspections.

88 ~~(d)(e)~~ An application for an inspection must contain a  
89 signed or electronically verified statement made under penalty of  
90 perjury that the applicant has submitted only a single  
91 application for that home.

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

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

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

- 102 1. Opening protection.  
103 2. Exterior doors, including garage doors.  
104 3. Brace gable ends.

105  
106 The department may require that improvements be made to all  
107 openings, including exterior doors and garage doors, as a



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108 condition of reimbursing a homeowner approved ~~approving an~~  
109 ~~application for a grant if the department determines that~~  
110 ~~improvements to less than all openings would not substantially~~  
111 ~~improve the structure's ability to withstand hurricane damage.~~

112 ~~(j) The department shall transfer the amount of \$40 million~~  
113 ~~from funds appropriated to the program, including up to 5 percent~~  
114 ~~for administrative costs, to Volunteer Florida Foundation, Inc.,~~  
115 ~~for provision of inspections and grants to low-income homeowners,~~  
116 ~~as defined in s. 420.0004(10), consistent with this section.~~  
117 ~~Volunteer Florida Foundation, Inc., shall be responsible for~~  
118 ~~inspections and grants management for low-income homeowners and~~  
119 ~~shall report its activities and account for state funds on a~~  
120 ~~quarterly and annual basis to the Chief Financial Officer, the~~  
121 ~~President of the Senate, and the Speaker of the House of~~  
122 ~~Representatives.~~

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

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



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138           627.711 Notice of premium discounts for hurricane loss  
139 mitigation; uniform mitigation verification inspection form.--

140           (2) By July 1, 2007, the Financial Services Commission  
141 shall develop by rule a uniform mitigation verification  
142 inspection form that shall be used by all insurers when submitted  
143 by policyholders for the purpose of factoring discounts for wind  
144 insurance. In developing the form, the commission shall seek  
145 input from insurance, construction, and building code  
146 representatives. Further, the commission shall provide guidance  
147 as to the length of time the inspection results are valid. An  
148 insurer shall accept as valid a uniform mitigation verification  
149 form certified by the Department of Financial Services or signed  
150 by:

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

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

154           (c) A general or residential contractor licensed under s.  
155 489.111;

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

159           (e) A professional architect licensed under s. 481.213.

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

161  
162 ===== T I T L E   A M E N D M E N T =====

163 And the title is amended as follows:

164           Delete everything before the enacting clause  
165 and insert:

166                                   A bill to be entitled



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167 | An act relating to the My Safe Florida Home Program;  
168 | amending s. 215.5586, F.S.; requiring that wind  
169 | certification entities meet certain minimum criteria to  
170 | qualify for selection by the Department of Financial  
171 | Services; deleting a provision requiring hurricane  
172 | mitigation inspectors participating in the program to meet  
173 | the requirements for a criminal record check by a  
174 | specified date; authorizing the department to require that  
175 | improvements be made to all openings of a structure,  
176 | including exterior doors and garage doors, as a condition  
177 | of reimbursing a homeowner for a grant; deleting a  
178 | provision authorizing the department to transfer certain  
179 | funds to Volunteer Florida Foundation, Inc., for certain  
180 | purposes; deleting a requirement that Volunteer Florida,  
181 | Inc., undertake certain activities; authorizing the  
182 | department to contract with third parties for contractor  
183 | services and technology; amending s. 627.711, F.S.;  
184 | requiring insurers to accept as valid uniform mitigation  
185 | verification forms certified by the department or signed  
186 | by certain professionals; providing an effective date.