

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.

21
 22 Be It Enacted by the Legislature of the State of Florida:

23
 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

HB 229

2009

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, 2009, 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, 2010, 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, 2009.