

By Senator Wilson

33-00094-09

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

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

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

28           (1) The governing authority of each county may levy a  
 29 discretionary surtax on building-related permits for the purpose

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

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

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

66 (3) The county shall levy the discretionary surtax as  
67 follows:

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

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

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

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

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

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

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88 required pursuant to federal law for the Low-Income and  
89 Moderate-Income Homeowners' Insurance Premium Assistance Pilot  
90 Program. The proceeds of the surtax may not be used for rent  
91 subsidies or grants.

92 Section 2. Effective July 1, 2009, the Low-Income and  
93 Moderate-Income Homeowners' Insurance Premium Assistance Pilot  
94 Program may be adopted only by the governing authority of a  
95 county as defined in s. 125.011(1), Florida Statutes. Effective  
96 July 1, 2010, the Low-Income and Moderate-Income Homeowners'  
97 Insurance Premium Assistance Pilot Program may be adopted by the  
98 governing authorities of the remaining counties in the state.

99 Section 3. Except as otherwise expressly provided in this  
100 act, this act shall take effect July 1, 2009.