

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Aubuchon offered the following:

Amendment

Remove lines 3730-3779 and insert:

4.(d) A professional engineer licensed under s. 471.015 who has passed the appropriate equivalency test of the building code training program as required by s. 553.841;

5.(e) A professional architect licensed under s. 481.213;
or

~~(f) Any other individual or entity recognized by the insurer as possessing the necessary qualifications to properly complete a uniform mitigation verification form.~~

(b) An insurer may, but is not required to, accept a form from any other person possessing qualifications and experience acceptable to the insurer.

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16 (3) A person who is authorized to sign a mitigation
17 verification form must inspect the structures referenced by the
18 form personally, not through employees or other persons, and
19 must certify or attest to personal inspection of the structures
20 referenced by the form. However, licensees under s. 471.015 or
21 s. 489.111, may authorize a direct employee, who is not an
22 independent contractor, and who possesses the requisite skill,
23 knowledge and experience to conduct a mitigation verification
24 inspection. Insurers shall have the right to request and obtain
25 information from the authorized mitigation inspector under s.
26 471.015 or s. 489.111, regarding any authorized employee's
27 qualifications prior to accepting a mitigation verification form
28 performed by an employee that is not licensed under s. 471.015
29 or s. 489.111.

30 (4) An authorized mitigation inspector that signs a
31 uniform mitigation form, and a direct employee authorized to
32 conduct mitigation verification inspections under paragraph (3),
33 may not commit misconduct in performing hurricane mitigation
34 inspections or in completing a uniform mitigation form that
35 causes financial harm to a customer or their insurer; or that
36 jeopardizes a customer's health and safety. Misconduct occurs
37 when an authorized mitigation inspector signs a uniform
38 mitigation verification form that:

39 (a) Falsely indicates that he or she personally inspected
40 the structures referenced by the form;

41 (b) Falsely indicates the existence of a feature which
42 entitles an insured to a mitigation discount which the inspector
43 knows does not exist or did not personally inspect;

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44 (c) Contains erroneous information due to the gross
45 negligence of the inspector; or

46 (d) Contains a pattern of demonstrably false information
47 regarding the existence of mitigation features that could give
48 an insured a false evaluation of the ability of the structure to
49 withstand major damage from a hurricane endangering the safety
50 of the insured's life and property.

51 (5) The licensing board of an authorized mitigation
52 inspector that violates subsection (4) may commence disciplinary
53 proceedings and impose administrative fines and other sanctions
54 authorized under the authorized mitigation inspector's licensing
55 act. Authorized mitigation inspectors licensed under s. 471.015
56 or s. 489.111,