

By Senator Wilson

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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:

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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, 2010, 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, 2011, 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, 2010.