

By Senator Montford

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1 A bill to be entitled
2 An act relating to emergency mitigation and response;
3 establishing the Hurricane Michael Recovery Task Force
4 adjunct to the Division of Emergency Management to
5 make recommendations to the Legislature regarding
6 additional assistance needed in the response to
7 recovery from and mitigation of the effects of
8 Hurricane Michael in certain areas; requiring the task
9 force to review the local, state, and federal
10 activities conducted and the resources provided in
11 such areas, the effectiveness of such efforts, and any
12 additional assistance necessary; providing for the
13 membership of the task force; providing requirements
14 for and restrictions on membership; providing for
15 certain reimbursement; requiring the task force to
16 report its findings and to make specified
17 recommendations to the Legislature and the Governor by
18 a specified date; providing for dissolution of the
19 task force by a specified date; providing an
20 appropriation to the Division of Emergency Management
21 from the General Revenue Fund to prepare an after-
22 action report on the shelter operations that took
23 place during Hurricane Michael, subject to certain
24 requirements; requiring that the report be submitted
25 to the Legislature and the Governor by a specified
26 date; providing an appropriation to the Office of
27 Program Policy Analysis and Government Accountability
28 from the General Revenue Fund to contract with a third
29 party for the evaluation of the reimbursement process

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30 of the Division of Emergency Management with respect
31 to requests for reimbursement under federal disaster
32 programs, subject to certain requirements; requiring
33 that the report be submitted to the Legislature by a
34 specified date; providing an appropriation to the
35 Division of Emergency Management from the General
36 Revenue Fund to competitively procure a consultant to
37 make recommendations for the update of the statewide
38 and regional hurricane evacuation studies, subject to
39 certain requirements; requiring that the report be
40 submitted to the Legislature and Governor by a
41 specified date; creating s. 420.57, F.S.; subject to
42 the appropriation of funds, creating the Hurricane
43 Housing Recovery Program to provide funds to local
44 governments for certain affordable housing recovery
45 efforts; requiring that the Florida Housing Finance
46 Corporation administer the program and allocate
47 resources to local governments that meet certain
48 criteria; specifying requirements for receiving and
49 using funds; requiring participating local governments
50 to submit a certain annual report to the corporation;
51 requiring the corporation to compile the reports and
52 submit them to the Legislature and the Governor;
53 subject to the appropriation of funds, creating the
54 Rental Recovery Loan Program to provide funds to build
55 additional rental housing due to specified impacts;
56 requiring the corporation to administer the program;
57 providing intent for the program; requiring
58 participating local governments to submit a certain

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59 annual report to the corporation; requiring the
60 corporation to compile the reports and submit them to
61 the Legislature and the Governor; authorizing the
62 corporation to adopt rules; creating the Public
63 Facilities Hurricane Restoration Cash Flow Loan
64 Program for the purpose of assisting counties,
65 municipalities, and district school boards in making
66 timely payments in restoring certain facilities;
67 providing eligibility requirements for receiving a
68 cash flow loan; requiring that the Department of
69 Economic Opportunity provide certain information and
70 instructions, administer the loans, distribute loan
71 funds, and deposit repaid funds into the Budget
72 Stabilization Fund, subject to certain requirements;
73 requiring the Division of Emergency Management to
74 notify the Department of Economic Opportunity when
75 certain federal payments have been distributed;
76 providing an effective date.

77

78 Be It Enacted by the Legislature of the State of Florida:

79

80 Section 1. The Hurricane Michael Recovery Task Force, a
81 task force as defined in s. 20.03, Florida Statutes, is
82 established adjunct to the Division of Emergency Management to
83 make recommendations to the Legislature regarding additional
84 assistance needed in the response to the recovery from, and the
85 mitigation of the effects of, Hurricane Michael in the areas
86 designated in the federal disaster declaration DR-4399. The task
87 force shall review the local, state, and federal activities

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88 conducted and the resources provided in such areas, the
89 effectiveness of such efforts, and any additional assistance
90 necessary.

91 (1) The task force must consist of the following seven
92 members:

93 (a) One member representing the business community, who
94 shall serve as chair, appointed by the Governor.

95 (b) One member representing agricultural interests,
96 appointed by the commissioner of the Department of Agriculture
97 and Consumer Services.

98 (c) One member representing the fishing industry, appointed
99 by the Fish and Wildlife Conservation Commission.

100 (d) One member representing emergency response, appointed
101 by the director of the Division of Emergency Management.

102 (e) One member representing housing interests, appointed by
103 the executive director of the Department of Economic
104 Opportunity.

105 (f) One public school superintendent representing education
106 interests, appointed by the Commissioner of Education.

107 (g) One county commissioner representing local government
108 interests, appointed by the Governor.

109 (2) Members shall serve at the pleasure of their appointing
110 official. Any vacancy must be filled in the same manner as the
111 original appointment. A member of the Legislature or a
112 registered lobbyist may not be appointed to the task force.
113 Members shall serve without compensation, but are entitled to
114 reimbursement of travel and per diem expenses pursuant to s.
115 112.061, Florida Statutes, in the performance of their duties
116 and responsibilities under this section.

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117 (3) The task force shall report its findings and make
118 specific recommendations for further response, recovery, and
119 mitigation to the President of the Senate, the Speaker of the
120 House of Representatives, and the Governor by December 15, 2020.
121 The task force is dissolved not later than May 15, 2021.

122 Section 2. For the 2020-2021 fiscal year, the sum of
123 \$85,000 in nonrecurring funds from the General Revenue Fund is
124 appropriated to the Division of Emergency Management to prepare
125 an after-action report on the shelter operations that took place
126 during Hurricane Michael. The division shall examine the latest
127 available statewide emergency shelter plan prepared pursuant to
128 ss. 252.385 and 1013.372, Florida Statutes, to determine, based
129 on the number of people who evacuated during Hurricane Michael,
130 whether there is sufficient capacity of general population
131 hurricane evacuation shelter space and of special needs
132 hurricane evacuation shelter space in the applicable regional
133 planning council regions. The report must include basic
134 information for each shelter activated during Hurricane Michael,
135 including the shelter type (general population, special needs,
136 or pet friendly), name, address, and maximum occupant capacity.
137 Additionally, the report must provide functional data for each
138 shelter, including the number of persons served at each shelter
139 throughout the event, the timeline for opening and closing each
140 shelter, and whether each shelter had sufficient staff,
141 security, transportation, equipment, lavatories, sanitation,
142 feeding capabilities, capacity, and standby or emergency power.
143 The report also must identify any unmet needs at each shelter
144 and must indicate whether each shelter met or exceeded the
145 American Red Cross Standards for Hurricane Evacuation Shelter

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146 Selection (ARC 4496). Finally, the report must identify any
147 shelter not activated for Hurricane Michael and the basis for
148 the determination not to activate it, such as the inability of
149 the shelter to withstand a certain level hurricane impact. The
150 report must be completed and presented to the President of the
151 Senate, the Speaker of the House of Representatives, and the
152 Governor by December 15, 2020.

153 Section 3. For the 2020-2021 fiscal year, the sum of
154 \$500,000 in nonrecurring funds from the General Revenue Fund is
155 appropriated to the Office of Program Policy Analysis and
156 Government Accountability to contract with a third party for the
157 evaluation of the reimbursement process of the Division of
158 Emergency Management with respect to requests for reimbursement
159 under federal disaster programs. At a minimum, the study must
160 make recommendations for process improvements or changes that
161 increase transparency for entities seeking reimbursement, create
162 efficiency in processing claims for reimbursement, and reduce
163 the time between the impact of a storm and the ultimate
164 reimbursement from the federal government. The report must be
165 completed and submitted to the President of the Senate and
166 Speaker of the House of Representatives by January 30, 2021.

167 Section 4. For the 2020-2021 fiscal year, the sum of
168 \$500,000 in nonrecurring funds from the General Revenue Fund is
169 appropriated to the Division of Emergency Management to
170 competitively procure a consultant to make recommendations for
171 the update of the statewide and regional hurricane evacuation
172 studies. The consultant must recommend consistent manners and
173 methodologies to be used in the evacuation studies, including
174 the modeling of storm surge. The consultant must coordinate with

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175 emergency management partners and the regional planning
176 councils. A report of the findings and recommendations must be
177 completed and submitted to the President of the Senate, the
178 Speaker of the House of Representatives, and the Governor by
179 December 15, 2020.

180 Section 5. Section 420.57, Florida Statutes, is created to
181 read:

182 420.57 Hurricane recovery programs.—

183 (1) (a) Subject to the appropriation of funds for that
184 purpose by the Legislature, the Hurricane Housing Recovery
185 Program is created to provide funds to local governments for
186 affordable housing recovery efforts, similar to the State
187 Housing Initiatives Partnership Program as set forth in ss.
188 420.907-420.9079. The Florida Housing Finance Corporation shall
189 administer the program. Notwithstanding ss. 420.9072 and
190 420.9073, the corporation shall allocate resources to local
191 governments according to a need-based formula that reflects
192 housing damage estimates and population effects resulting from
193 hurricanes. An eligible local government must submit a strategy
194 outlining proposed recovery actions, household income levels,
195 and the number of residential units to be served and an
196 associated funding request. Program funds must be used to serve
197 households with incomes of up to 120 percent of area median
198 income, except that at least 30 percent of program funds must be
199 reserved for households with incomes of up to 50 percent of area
200 median income and an additional 30 percent of program funds must
201 be reserved for households with incomes of up to 80 percent of
202 area median income. Program funds must be used as specified for
203 each of the following purposes:

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204 1. At least 65 percent must be used for homeownership.

205 2. Up to 15 percent may be used for administrative expenses
206 to ensure the expeditious use of funds.

207 3. Up to one-quarter of 1 percent may be used by the
208 corporation for compliance monitoring.

209 (b) Each participating local government shall submit to the
210 corporation an annual report on its use of funds from the
211 Hurricane Housing Recovery Program. The corporation shall
212 compile the reports and submit them to the President of the
213 Senate, the Speaker of the House of Representatives, and the
214 Governor.

215 (2) (a) Subject to the appropriation of funds by the
216 Legislature for that purpose, the Rental Recovery Loan Program
217 is created to provide funds to build additional rental housing
218 due to impacts to the affordable housing stock and changes to
219 the population resulting from hurricanes. The corporation shall
220 administer the program. The program is intended to allow the
221 state to leverage additional federal rental financing similar to
222 the State Apartment Incentive Loan Program as described in s.
223 420.5087.

224 (b) Each participating local government shall submit to the
225 corporation an annual report on its use of funds from the Rental
226 Recovery Loan Program. The corporation shall compile the reports
227 and submit them to the President of the Senate, the Speaker of
228 the House of Representatives, and the Governor.

229 (3) The corporation may adopt rules to administer this
230 section.

231 Section 6. (1) There is established for the 2020-2021
232 fiscal year a Public Facilities Hurricane Restoration Cash Flow

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233 Loan Program. Counties, municipalities, and district school
234 boards that need assistance with cash flow in order to make
235 timely payments to contractors and suppliers in restoring
236 county, municipal, or educational facilities damaged by a named
237 hurricane or tropical storm during the 2018 hurricane season may
238 apply to the Department of Economic Opportunity for a cash flow
239 loan. The amount of the loan may not exceed the amount the
240 county, municipality, or district school board needs to meet
241 timely payments to contractors and suppliers for the restoration
242 of damaged facilities. To be eligible for a cash flow loan, a
243 county, municipality, or district school board must meet all of
244 the following requirements:

245 (a) Have one or more county, municipal, or educational
246 facilities damaged or destroyed by a named hurricane or tropical
247 storm during the 2018 hurricane season.

248 (b) Have an agreement to pay contractors or suppliers for
249 the restoration of the damaged facilities, but have insufficient
250 cash flow to make timely payments.

251 (c) Agree to repay, from funds received from insurance
252 claims, Federal Emergency Management Agency payments, or other
253 fund sources, the full amount of the funds received from the
254 cash flow loan program.

255 (d) Agree that if repayment is not made in a timely manner,
256 the Department of Economic Opportunity must withhold future
257 distribution of public capital outlay funds, or other fixed
258 capital outlay funds, until repayment is received by the
259 department.

260 (2) The Department of Economic Opportunity shall provide
261 information and instructions for applying for a cash flow loan

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262 and administer the loans in accordance with this act. The
263 department shall distribute loan funds based on the county or
264 municipal governing body's or district superintendent's
265 certification of the amount needed for payments that are due
266 within the following 30 days. All funds repaid must be deposited
267 unallocated into the Budget Stabilization Fund within 30 days
268 after receipt by the department.

269 (3) The Division of Emergency Management shall notify the
270 Department of Economic Opportunity when payments from the
271 Federal Emergency Management Agency for a named hurricane or
272 tropical storm during the 2018 hurricane season have been
273 distributed to a county, municipality, or district school board
274 that has received a public facilities hurricane restoration cash
275 flow loan.

276 Section 7. This act shall take effect upon becoming a law.