

**By** the Committee on Infrastructure and Security; and Senators Montford, Gainer, and Broxson

596-03410-20

2020502c1

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

596-03410-20

2020502c1

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; creating s. 420.57, F.S.; subject to  
35 the appropriation of funds, creating the Hurricane  
36 Housing Recovery Program to provide funds to local  
37 governments for certain affordable housing recovery  
38 efforts; requiring that the Florida Housing Finance  
39 Corporation administer the program and allocate  
40 resources to local governments that meet certain  
41 criteria; specifying requirements for receiving and  
42 using funds; requiring participating local governments  
43 to submit a certain annual report to the corporation;  
44 requiring the corporation to compile the reports and  
45 submit them to the Legislature and the Governor;  
46 subject to the appropriation of funds, creating the  
47 Rental Recovery Loan Program to provide funds to build  
48 additional rental housing due to specified impacts;  
49 requiring the corporation to administer the program;  
50 providing intent for the program; requiring  
51 participating local governments to submit a certain  
52 annual report to the corporation; requiring the  
53 corporation to compile the reports and submit them to  
54 the Legislature and the Governor; authorizing the  
55 corporation to adopt rules; creating the Public  
56 Facilities Hurricane Restoration Cash Flow Loan  
57 Program for the purpose of assisting counties,  
58 municipalities, and district school boards in making

596-03410-20

2020502c1

59 timely payments in restoring certain facilities;  
60 providing eligibility requirements for receiving a  
61 cash flow loan; requiring that the Department of  
62 Economic Opportunity provide certain information and  
63 instructions, administer the loans, distribute loan  
64 funds, and deposit repaid funds into the Budget  
65 Stabilization Fund, subject to certain requirements;  
66 requiring the Division of Emergency Management to  
67 notify the Department of Economic Opportunity when  
68 certain federal payments have been distributed;  
69 providing an effective date.

70  
71 Be It Enacted by the Legislature of the State of Florida:

72  
73 Section 1. The Hurricane Michael Recovery Task Force, a  
74 task force as defined in s. 20.03, Florida Statutes, is  
75 established adjunct to the Division of Emergency Management to  
76 make recommendations to the Legislature regarding additional  
77 assistance needed in the response to the recovery from, and the  
78 mitigation of the effects of, Hurricane Michael in the areas  
79 designated in the federal disaster declaration DR-4399. The task  
80 force shall review the local, state, and federal activities  
81 conducted and the resources provided in such areas, the  
82 effectiveness of such efforts, and any additional assistance  
83 necessary.

84 (1) The task force must consist of the following seven  
85 members:

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

596-03410-20

2020502c1

88 (b) One member representing agricultural interests,  
89 appointed by the commissioner of the Department of Agriculture  
90 and Consumer Services.

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

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

95 (e) One member representing housing interests, appointed by  
96 the executive director of the Department of Economic  
97 Opportunity.

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

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

102 (2) Members shall serve at the pleasure of their appointing  
103 official. Any vacancy must be filled in the same manner as the  
104 original appointment. A member of the Legislature or a  
105 registered lobbyist may not be appointed to the task force.  
106 Members shall serve without compensation, but are entitled to  
107 reimbursement of travel and per diem expenses pursuant to s.  
108 112.061, Florida Statutes, in the performance of their duties  
109 and responsibilities under this section.

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

115 Section 2. For the 2020-2021 fiscal year, the sum of  
116 \$85,000 in nonrecurring funds from the General Revenue Fund is

596-03410-20

2020502c1

117 appropriated to the Division of Emergency Management to prepare  
118 an after-action report on the shelter operations that took place  
119 during Hurricane Michael. The division shall examine the latest  
120 available statewide emergency shelter plan prepared pursuant to  
121 ss. 252.385 and 1013.372, Florida Statutes, to determine, based  
122 on the number of people who evacuated during Hurricane Michael,  
123 whether there is sufficient capacity of general population  
124 hurricane evacuation shelter space and of special needs  
125 hurricane evacuation shelter space in the applicable regional  
126 planning council regions. The report must include basic  
127 information for each shelter activated during Hurricane Michael,  
128 including the shelter type (general population, special needs,  
129 or pet friendly), name, address, and maximum occupant capacity.  
130 Additionally, the report must provide functional data for each  
131 shelter, including the number of persons served at each shelter  
132 throughout the event, the timeline for opening and closing each  
133 shelter, and whether each shelter had sufficient staff,  
134 security, transportation, equipment, lavatories, sanitation,  
135 feeding capabilities, capacity, and standby or emergency power.  
136 The report also must identify any unmet needs at each shelter  
137 and must indicate whether each shelter met or exceeded the  
138 American Red Cross Standards for Hurricane Evacuation Shelter  
139 Selection (ARC 4496). Finally, the report must identify any  
140 shelter not activated for Hurricane Michael and the basis for  
141 the determination not to activate it, such as the inability of  
142 the shelter to withstand a certain level hurricane impact. The  
143 report must be completed and presented to the President of the  
144 Senate, the Speaker of the House of Representatives, and the  
145 Governor by December 15, 2020.

596-03410-20

2020502c1

146           Section 3. For the 2020-2021 fiscal year, the sum of  
147 \$500,000 in nonrecurring funds from the General Revenue Fund is  
148 appropriated to the Office of Program Policy Analysis and  
149 Government Accountability to contract with a third party for the  
150 evaluation of the reimbursement process of the Division of  
151 Emergency Management with respect to requests for reimbursement  
152 under federal disaster programs. At a minimum, the study must  
153 make recommendations for process improvements or changes that  
154 increase transparency for entities seeking reimbursement, create  
155 efficiency in processing claims for reimbursement, and reduce  
156 the time between the impact of a storm and the ultimate  
157 reimbursement from the federal government. The report must be  
158 completed and submitted to the President of the Senate and  
159 Speaker of the House of Representatives by January 30, 2021.

160           Section 4. Section 420.57, Florida Statutes, is created to  
161 read:

162           420.57 Hurricane recovery programs.—

163           (1) (a) Subject to the appropriation of funds for that  
164 purpose by the Legislature, the Hurricane Housing Recovery  
165 Program is created to provide funds to local governments for  
166 affordable housing recovery efforts, similar to the State  
167 Housing Initiatives Partnership Program as set forth in ss.  
168 420.907-420.9079. The Florida Housing Finance Corporation shall  
169 administer the program. Notwithstanding ss. 420.9072 and  
170 420.9073, the corporation shall allocate resources to local  
171 governments according to a need-based formula that reflects  
172 housing damage estimates and population effects resulting from  
173 hurricanes. An eligible local government must submit a strategy  
174 outlining proposed recovery actions, household income levels,

596-03410-20

2020502c1

175 and the number of residential units to be served and an  
176 associated funding request. Program funds must be used to serve  
177 households with incomes of up to 120 percent of area median  
178 income, except that at least 30 percent of program funds must be  
179 reserved for households with incomes of up to 50 percent of area  
180 median income and an additional 30 percent of program funds must  
181 be reserved for households with incomes of up to 80 percent of  
182 area median income. Program funds must be used as specified for  
183 each of the following purposes:

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

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

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

189 (b) Each participating local government shall submit to the  
190 corporation an annual report on its use of funds from the  
191 Hurricane Housing Recovery Program. The corporation shall  
192 compile the reports and submit them to the President of the  
193 Senate, the Speaker of the House of Representatives, and the  
194 Governor.

195 (2) (a) Subject to the appropriation of funds by the  
196 Legislature for that purpose, the Rental Recovery Loan Program  
197 is created to provide funds to build additional rental housing  
198 due to impacts to the affordable housing stock and changes to  
199 the population resulting from hurricanes. The corporation shall  
200 administer the program. The program is intended to allow the  
201 state to leverage additional federal rental financing similar to  
202 the State Apartment Incentive Loan Program as described in s.  
203 420.5087.

596-03410-20

2020502c1

204       (b) Each participating local government shall submit to the  
205 corporation an annual report on its use of funds from the Rental  
206 Recovery Loan Program. The corporation shall compile the reports  
207 and submit them to the President of the Senate, the Speaker of  
208 the House of Representatives, and the Governor.

209       (3) The corporation may adopt rules to administer this  
210 section.

211       Section 5. (1) There is established for the 2020-2021  
212 fiscal year a Public Facilities Hurricane Restoration Cash Flow  
213 Loan Program. Counties, municipalities, and district school  
214 boards that need assistance with cash flow in order to make  
215 timely payments to contractors and suppliers in restoring  
216 county, municipal, or educational facilities damaged by a named  
217 hurricane or tropical storm during the 2018 hurricane season may  
218 apply to the Department of Economic Opportunity for a cash flow  
219 loan. The amount of the loan may not exceed the amount the  
220 county, municipality, or district school board needs to meet  
221 timely payments to contractors and suppliers for the restoration  
222 of damaged facilities. To be eligible for a cash flow loan, a  
223 county, municipality, or district school board must meet all of  
224 the following requirements:

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

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

231       (c) Agree to repay, from funds received from insurance  
232 claims, Federal Emergency Management Agency payments, or other



596-03410-20

2020502c1

233 fund sources, the full amount of the funds received from the  
234 cash flow loan program.

235 (d) Agree that if repayment is not made in a timely manner,  
236 the Department of Economic Opportunity must withhold future  
237 distribution of public capital outlay funds, or other fixed  
238 capital outlay funds, until repayment is received by the  
239 department.

240 (2) The Department of Economic Opportunity shall provide  
241 information and instructions for applying for a cash flow loan  
242 and administer the loans in accordance with this act. The  
243 department shall distribute loan funds based on the county or  
244 municipal governing body's or district superintendent's  
245 certification of the amount needed for payments that are due  
246 within the following 30 days. All funds repaid must be deposited  
247 unallocated into the Budget Stabilization Fund within 30 days  
248 after receipt by the department.

249 (3) The Division of Emergency Management shall notify the  
250 Department of Economic Opportunity when payments from the  
251 Federal Emergency Management Agency for a named hurricane or  
252 tropical storm during the 2018 hurricane season have been  
253 distributed to a county, municipality, or district school board  
254 that has received a public facilities hurricane restoration cash  
255 flow loan.

256 Section 6. This act shall take effect upon becoming a law.