

Amendment No.1

1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

2 Committee/Subcommittee hearing bill: Appropriations Committee
3 Representative Trumbull offered the following:

4

Amendment (with title amendment)

6 Remove lines 339-492 and insert:

7 (a) A RAP insurer that has any private reinsurance that
8 duplicates RAP coverage such insurer would receive for the 2022-
9 2023 contract year shall notify the board in writing of such
10 duplicative coverage no later than June 30, 2022. Participation
11 in the RAP program for such RAP insurers shall be deferred until
12 the 2023-2024 contract year.

13 (b) A new participating insurer that begins writing
14 covered policies in this state after June 1, 2022, is deemed to
15 defer its RAP coverage to the 2023-2024 contract year.

16 (7) RAP PREMIUMS.—Premiums may not be charged for
17 participation in the RAP program.

Amendment No.1

18 (8) CLAIMS-PAYING CAPACITY.—The RAP program shall not
19 affect the claims-paying capacity of the FHCF as provided in s.
20 215.555(4)(c)1.

21 (9) INSOLVENCY OF RAP INSURER.—

22 (a) The RAP reimbursement contract shall provide that in
23 the event of an insolvency of a RAP insurer, the RAP program
24 shall pay reimbursements directly to the applicable state
25 guaranty fund for the benefit of policyholders in this state of
26 the RAP insurer.

27 (b) If an authorized insurer or the Citizens Property
28 Insurance Corporation accepts an assignment of an unsound RAP
29 insurer's RAP contract, the FHCF shall apply the unsound RAP
30 insurer's RAP contract to such policies and treat the authorized
31 insurer or the Citizens Property Insurance Corporation as if it
32 were the unsound RAP insurer for the remaining term of the RAP
33 contract, with all rights and duties of the unsound RAP insurer
34 beginning on the date it provides coverage for such policies.

35 (10) VIOLATIONS.—Any violation of this section or of rules
36 adopted under this section constitutes a violation of the
37 insurance code.

38 (11) LEGAL PROCEEDINGS.—The board is authorized to take
39 any action necessary to enforce the rules, provisions, and
40 requirements of the RAP reimbursement contract, required by and
41 adopted pursuant to this section.

Amendment No.1

42 (12) RULEMAKING.—The board may adopt such rules as are
43 reasonable and necessary to implement this section, and it is
44 the intent of the Legislature that all rules adopted to
45 implement this section will be done as emergency rules pursuant
46 to s. 120.54(4).

47 (13) APPROPRIATION.—

48 (a) Within 60 days after a covered event, the board shall
49 submit written notice to the Executive Office of the Governor if
50 the board determines that funds from the RAP program coverage
51 established by this section will be necessary to reimburse RAP
52 insurers for losses associated with the covered event. The
53 initial notice, and any subsequent requests, must specify the
54 amount necessary to provide RAP reimbursements. Upon receiving
55 such notice, the Executive Office of the Governor shall instruct
56 the Chief Financial Officer to draw a warrant from the General
57 Revenue Fund for a transfer to the board for the RAP program in
58 the amount requested. The Executive Office of the Governor shall
59 provide written notification to the chair and vice chair of the
60 Legislative Budget Commission at least 3 days before the
61 effective date of the warrant. Cumulative transfers authorized
62 under this paragraph may not exceed \$2 billion.

63 (b) If General Revenue Funds are transferred to the board
64 for the RAP program under paragraph (a), the board shall submit
65 written notice to the Executive Office of the Governor that
66 funds will be necessary for the administration of the RAP

Amendment No.1

67 program and post-event examinations for covered events that
68 require RAP coverage. The initial notice, and any subsequent
69 requests, must specify the amount necessary for administration
70 of the RAP program and post-event examinations. Upon receiving
71 such notice, the Executive Office of the Governor shall instruct
72 the Chief Financial Officer to draw a warrant from the General
73 Revenue Fund for a transfer to the board for the RAP program in
74 the amount requested. The Executive Office of the Governor shall
75 provide written notification to the chair and vice chair of the
76 Legislative Budget Commission at least 3 days before the
77 effective date of the warrant. Cumulative transfers authorized
78 under this paragraph may not exceed \$5 million.

79 (c) No later than January 31, 2023, and quarterly
80 thereafter, the board shall submit a report to the Executive
81 Office of the Governor, the President of the Senate, and the
82 Speaker of the House of Representatives detailing any
83 reimbursements of the RAP program, all loss development
84 projections, the amount of RAP reimbursement coverage deferred
85 until the 2023-2024 contract year, and detailed information
86 about administrative and post-event examination expenditures.

87 (14) EXPIRATION DATE.—If no General Revenue Funds have
88 been transferred to the board for the RAP program under
89 subsection (13) by June 30, 2025, this section expires on July
90 1, 2025. If General Revenue Funds have been transferred to the
91 board for the RAP program under subsection (13) by June 30,

Amendment No.1

92 2025, this section expires on July 1, 2029, and all unencumbered
93 RAP program funds shall be transferred by the board back to the
94 General Revenue Fund unallocated.

95 Section 2. (1) No later than June 30, 2022, each insurer
96 that participates during the 2022-2023 contract year in the
97 Reinsurance to Assist Policyholders program under s. 215.5551,
98 Florida Statutes, shall reduce its rates to reflect the cost
99 savings realized by participating in the program through a rate
100 filing with the Office of Insurance Regulation or by amending a
101 pending rate filing. The insurer shall make no other changes to
102 its rates in the filing.

103 (2) No later than May 1, 2023, each insurer that defers
104 participation in the Reinsurance to Assist Policyholders program
105 until the 2023-2024 year under s. 215.5551, Florida Statutes,
106 shall reduce its rates to reflect the cost savings realized by
107 participating in the program through a rate filing with the
108 Office of Insurance Regulation or by amending a pending rate
109 filing. The insurer shall make no other changes to its rates in
110 the filing.

111 (3) The Office of Insurance Regulation shall expedite the
112 review of the filings made under this section.

113 Section 3. Effective July 1, 2022, paragraphs (a) and (b)
114 of subsection (2) and subsection (10) of section 215.5586,
115 Florida Statutes, are amended to read:

Amendment No.1

116 215.5586 My Safe Florida Home Program.—There is
117 established within the Department of Financial Services the My
118 Safe Florida Home Program. The department shall provide fiscal
119 accountability, contract management, and strategic leadership
120 for the program, consistent with this section. This section does
121 not create an entitlement for property owners or obligate the
122 state in any way to fund the inspection or retrofitting of
123 residential property in this state. Implementation of this
124 program is subject to annual legislative appropriations. It is
125 the intent of the Legislature that the My Safe Florida Home
126 Program provide trained and certified inspectors to perform
127 inspections for owners of site-built, single-family, residential
128 properties and grants to eligible applicants as funding allows.
129 The program shall develop and implement a comprehensive and
130 coordinated approach for hurricane damage mitigation that may
131 include the following:

132 (2) MITIGATION GRANTS.—Financial grants shall be used to
133 encourage single-family, site-built, owner-occupied, residential
134 property owners to retrofit their properties to make them less
135 vulnerable to hurricane damage.

136 (a) For a homeowner to be eligible for a grant, the
137 following criteria must be met:

138 1. The homeowner must have been granted a homestead
139 exemption on the home under chapter 196.

Amendment No.1

140 2. The home must be a dwelling with an insured value of
141 \$500,000 ~~\$300,000~~ or less. Homeowners who are low-income
142 persons, as defined in s. 420.0004(11), are exempt from this
143 requirement.

144 3. The home must have undergone an acceptable hurricane
145 mitigation inspection after July 1, 2008 ~~May 1, 2007~~.

146 4. The home must be located in the "wind-borne debris
147 region" as that term is defined in the Florida Building Code ~~s.~~
148 ~~1609.2, International Building Code (2006), or as subsequently~~
149 ~~amended~~.

150 5. The building permit application for initial
151 construction of the home must have been made before January 1,
152 2008 ~~March 1, 2002~~.

153 6. The homeowner must agree to make his or her home
154 available for inspection once a mitigation project is completed.

157 **T I T L E A M E N D M E N T**

158 Remove lines 19-52 and insert:

159 providing for deferral of coverage under the program;
160 prohibiting premiums from being charged for participation in the
161 program; providing that the program does not affect the claims-
162 paying capacity of the Florida Hurricane Catastrophe Fund;
163 requiring the program to pay reimbursements directly to the
164 applicable state guaranty fund in the event of insolvency;

Amendment No.1

165 specifying requirements for the Florida Hurricane Catastrophe
166 Fund if an insurer or the Citizens Property Insurance
167 Corporation accepts assignments of unsound insurers; providing
168 that certain violations are violations of the insurance code;
169 authorizing the board to enforce certain requirements;
170 authorizing the board to adopt rules; providing legislative
171 intent; requiring the board to submit a written notice within a
172 certain timeframe to the Executive Office of the Governor
173 relating to the program funds, under certain circumstances;
174 providing a requirement for the notice and subsequent requests;
175 requiring the Executive Office of the Governor to instruct the
176 Chief Financial Officer to draw a warrant for a transfer to the
177 board for the program under certain circumstances and to provide
178 notification to specified persons within a certain timeframe;
179 prohibiting cumulative transfers from exceeding a specified
180 amount; providing reporting requirements; providing for
181 expiration and transfer of unencumbered funds; requiring certain
182 property insurers to reduce rates to reflect certain cost
183 savings through rate filings by a specified date; prohibiting
184 such insurers from making other rate changes; requiring the
185 Office of Insurance Regulation to expedite the review of certain
186 filings; amending s. 215.5586, F.S.; revising homeowner
187 eligibility criteria