

By Senator Bradley

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1 A bill to be entitled
2 An act relating to flood disclosures for real property
3 sales; creating s. 689.302, F.S.; requiring a seller
4 of real property to disclose in writing certain flood
5 information to a prospective purchaser before
6 executing a contract for the sale of the property;
7 defining the term "flooding"; providing an effective
8 date.

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

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12 Section 1. Section 689.302, Florida Statutes, is created to
13 read:

14 689.302 Disclosure of flood risks to prospective
15 purchaser.—A seller of real property, before executing a
16 contract for sale, shall disclose in writing to a prospective
17 purchaser all of the following information known to the seller:

18 (1) Whether the property has suffered damage from flooding
19 and the number of times a property has been subject to flooding.
20 For the purposes of this subsection, the term "flooding" means a
21 general or temporary condition of partial or complete inundation
22 of the property caused by any of the following:

23 (a) The overflow of inland or tidal waters.

24 (b) The unusual and rapid accumulation of runoff or surface
25 waters from any established water source, such as a river,
26 stream, or drainage ditch.

27 (c) Excessive rainfall.

28 (2) Whether the property owner has maintained flood
29 insurance.

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30 (3) Whether any portion of the property is located in a
31 designated special flood hazard area or moderate risk flood
32 hazard zone established by the Federal Emergency Management
33 Agency.

34 (4) Whether the seller has ever received federal assistance
35 for flood damage to the property, including, but not limited to,
36 assistance from the Federal Emergency Management Agency or the
37 United States Small Business Administration.

38 (5) Whether the seller has ever filed a claim with an
39 insurance provider relating to flood damage on the property,
40 including, but not limited to, a claim with the National Flood
41 Insurance Program.

42 (6) Whether a Federal Emergency Management Agency elevation
43 certificate is available for the property.

44 Section 2. This act shall take effect July 1, 2023.