

By the Committee on Banking and Insurance; and Senator Boyd

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1                                   A bill to be entitled  
2           An act relating to the My Safe Florida Home Program;  
3           amending s. 215.5586, F.S.; providing that licensed,  
4           rather than certified, inspectors are to provide  
5           hurricane mitigation inspections on site-built,  
6           single-family, residential properties that have been  
7           granted a homestead exemption; revising the  
8           information provided to homeowners as part of a  
9           hurricane mitigation inspection; revising the  
10          hurricane mitigation inspectors that may be selected  
11          by the Department of Financial Services to provide  
12          hurricane mitigation inspections; deleting a provision  
13          requiring the department to implement a certain  
14          quality assurance program; revising the criteria for  
15          mitigation grant eligibility for homeowners; deleting  
16          a provision that subjects mitigation projects to  
17          random reinspection for a specified timeframe;  
18          revising the improvements for which mitigation grants  
19          may be used; revising the amount low-income homeowners  
20          may receive from the department under the grant  
21          program; deleting a provision authorizing low-income  
22          homeowners to use grant funds for specified purposes;  
23          deleting a requirement that the department establish  
24          specified criteria for prioritizing grant  
25          applications; authorizing, rather than requiring, the  
26          program to develop and distribute certain brochures to  
27          specified persons; deleting a provision requiring  
28          certain contracts entered into by the department to be  
29          reviewed and approved by the Legislative Budget

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30 Commission; requiring the department to develop a  
31 certain quality assurance and reinspection program;  
32 revising the contents of the annual report the  
33 department is required to deliver to the Legislature;  
34 conforming provisions to changes made by the act;  
35 making technical changes; reenacting s. 215.5588(3),  
36 F.S., relating to the Florida Disaster Recovery  
37 Program, to incorporate the amendments made to s.  
38 215.5586, F.S., in a reference thereto; providing an  
39 effective date.  
40

41 Be It Enacted by the Legislature of the State of Florida:  
42

43 Section 1. Section 215.5586, Florida Statutes, is amended  
44 to read:

45 215.5586 My Safe Florida Home Program.—There is established  
46 within the Department of Financial Services the My Safe Florida  
47 Home Program. The department shall provide fiscal  
48 accountability, contract management, and strategic leadership  
49 for the program, consistent with this section. This section does  
50 not create an entitlement for property owners or obligate the  
51 state in any way to fund the inspection or retrofitting of  
52 residential property in this state. Implementation of this  
53 program is subject to annual legislative appropriations. It is  
54 the intent of the Legislature that the My Safe Florida Home  
55 Program provide licensed ~~trained and certified~~ inspectors to  
56 perform inspections for owners of site-built, single-family,  
57 residential properties and grants to eligible applicants as  
58 funding allows. The program shall develop and implement a

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59 comprehensive and coordinated approach for hurricane damage  
60 mitigation that may include the following:

61 (1) HURRICANE MITIGATION INSPECTIONS.—

62 (a) Licensed ~~Certified~~ inspectors are to provide home ~~home-~~  
63 ~~retrofit~~ inspections of site-built, single-family, residential  
64 properties for which a homestead exemption has been granted,  
65 ~~property may be offered~~ to determine what mitigation measures  
66 are needed, what insurance premium discounts may be available,  
67 and what improvements to existing residential properties are  
68 needed to reduce the property's vulnerability to hurricane  
69 damage.

70 (b) The Department of Financial Services shall contract  
71 with wind certification entities to provide hurricane mitigation  
72 inspections. The inspections provided to homeowners, at a  
73 minimum, must include:

74 1. A home inspection and report that summarizes the results  
75 and identifies recommended improvements a homeowner may take to  
76 mitigate hurricane damage.

77 2. A range of cost estimates regarding the recommended  
78 mitigation improvements.

79 3. ~~Insurer-specific~~ Information regarding estimated premium  
80 discounts, correlated to the current mitigation features and the  
81 recommended mitigation improvements identified by the  
82 inspection.

83 (c) ~~(b)~~ To qualify for selection by the department as a wind  
84 certification entity to provide hurricane mitigation  
85 inspections, the entity must ~~shall~~, at a minimum, meet the  
86 following requirements:

87 1. Use hurricane mitigation inspectors who are licensed or

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88 certified as:

89 a. ~~Are certified as~~ A building inspector under s. 468.607;

90 b. ~~Are licensed as~~ A general, building, or residential  
91 contractor under s. 489.111;

92 c. ~~Are licensed as~~ A professional engineer under s. 471.015  
93 and who have passed the appropriate equivalency test of the  
94 building code training program as required by s. 553.841;

95 d. ~~Are licensed as~~ A professional architect under s.  
96 481.213; or

97 e. A home inspector under s. 468.8314 and who have  
98 completed at least 3 hours of hurricane mitigation training  
99 approved by the Construction Industry Licensing Board, which  
100 training must include hurricane mitigation techniques,  
101 compliance with the uniform mitigation verification form, and  
102 completion of a proficiency exam ~~Have at least 2 years of~~  
103 ~~experience in residential construction or residential building~~  
104 ~~inspection and have received specialized training in hurricane~~  
105 ~~mitigation procedures. Such training may be provided by a class~~  
106 ~~offered online or in person.~~

107 2. Use hurricane mitigation inspectors who also:

108 a. ~~have~~ undergone drug testing and a background screening.

109 The department may conduct criminal record checks of inspectors  
110 used by wind certification entities. Inspectors must submit a  
111 set of ~~the~~ fingerprints to the department for state and national  
112 criminal history checks and must pay the fingerprint processing  
113 fee set forth in s. 624.501. The fingerprints must ~~shall~~ be sent  
114 by the department to the Department of Law Enforcement and  
115 forwarded to the Federal Bureau of Investigation for processing.  
116 The results must ~~shall~~ be returned to the department for

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117 screening. The fingerprints must ~~shall~~ be taken by a law  
118 enforcement agency, designated examination center, or other  
119 department-approved entity; ~~and~~

120 ~~b. Have been certified, in a manner satisfactory to the~~  
121 ~~department, to conduct the inspections.~~

122 3. Provide a quality assurance program including a  
123 reinspection component.

124 ~~(c) The department shall implement a quality assurance~~  
125 ~~program that includes a statistically valid number of~~  
126 ~~reinspections.~~

127 (d) An application for an inspection must contain a signed  
128 or electronically verified statement made under penalty of  
129 perjury that the applicant has submitted only a single  
130 application for that home.

131 (e) The owner of a site-built, single-family, residential  
132 property for which a homestead exemption has been granted may  
133 apply for and receive an inspection without also applying for a  
134 grant pursuant to subsection (2) and without meeting the  
135 requirements of paragraph (2) (a).

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

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

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

144 2. The home must be a dwelling with an insured value of  
145 \$500,000 or less. Homeowners who are low-income persons, as

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146 defined in s. 420.0004(11), are exempt from this requirement.

147 3. The home must undergo ~~have undergone~~ an acceptable  
148 hurricane mitigation inspection as provided in subsection (1)  
149 ~~after July 1, 2008.~~

150 4. ~~The home must be located in the "wind-borne debris~~  
151 ~~region" as that term is defined in the Florida Building Code.~~

152 5. The building permit application for initial construction  
153 of the home must have been made before January 1, 2008.

154 5.6. The homeowner must agree to make his or her home  
155 available for inspection once a mitigation project is completed.

156  
157 An application for a grant must contain a signed or  
158 electronically verified statement made under penalty of perjury  
159 that the applicant has submitted only a single application and  
160 must have attached documents demonstrating the applicant meets  
161 the requirements of this paragraph.

162 (b) All grants must be matched on the basis of \$1 provided  
163 by the applicant for \$2 provided by the state up to a maximum  
164 state contribution of \$10,000 toward the actual cost of the  
165 mitigation project.

166 (c) The program shall create a process in which contractors  
167 agree to participate and homeowners select from a list of  
168 participating contractors. All mitigation must be based upon the  
169 securing of all required local permits and inspections and must  
170 be performed by properly licensed contractors. Mitigation  
171 ~~projects are subject to random reinspection of up to at least 5~~  
172 ~~percent of all projects.~~ Hurricane mitigation inspectors  
173 qualifying for the program may also participate as mitigation  
174 contractors as long as the inspectors meet the department's

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175 qualifications and certification requirements for mitigation  
176 contractors.

177 (d) Matching fund grants shall also be made available to  
178 local governments and nonprofit entities for projects that will  
179 reduce hurricane damage to single-family, site-built, owner-  
180 occupied, residential property. The department shall liberally  
181 construe those requirements in favor of availing the state of  
182 the opportunity to leverage funding for the My Safe Florida Home  
183 Program with other sources of funding.

184 (e) When recommended by a hurricane mitigation inspection,  
185 grants may be used for the following improvements:

- 186 1. Opening protection.
- 187 2. Exterior doors, including garage doors.
- 188 3. ~~Brace gable ends.~~
- 189 4. ~~Reinforcing roof-to-wall connections.~~
- 190 4.5. Improving the strength of roof-deck attachments.
- 191 ~~6. Upgrading roof covering from code to code plus.~~
- 192 5.7. Secondary water barrier for roof.

193  
194 The department may require that improvements be made to all  
195 openings, including exterior doors and garage doors, as a  
196 condition of reimbursing a homeowner approved for a grant. The  
197 department may adopt, by rule, the maximum grant allowances for  
198 any improvement allowable under this paragraph.

199 (f) Grants may be used on a previously inspected existing  
200 structure or on a rebuild. A rebuild is defined as a site-built,  
201 single-family dwelling under construction to replace a home that  
202 was destroyed or significantly damaged by a hurricane and deemed  
203 unlivable by a regulatory authority. The homeowner must be a

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204 low-income homeowner as defined in paragraph (g), must have had  
205 a homestead exemption for that home before ~~prior to~~ the  
206 hurricane, and must be intending to rebuild the home as that  
207 homeowner's homestead.

208 (g) Low-income homeowners, as defined in s. 420.0004(11),  
209 who otherwise meet the requirements of paragraphs (a), (c), (e),  
210 and (f) are eligible for a grant of up to \$10,000 ~~\$5,000~~ and are  
211 not required to provide a matching amount to receive the grant.  
212 ~~Additionally, for low-income homeowners, grant funding may be~~  
213 ~~used for repair to existing structures leading to any of the~~  
214 ~~mitigation improvements provided in paragraph (e), limited to 20~~  
215 ~~percent of the grant value.~~ The program may accept a  
216 certification directly from a low-income homeowner that the  
217 homeowner meets the requirements of s. 420.0004(11) if the  
218 homeowner provides such certification in a signed or  
219 electronically verified statement made under penalty of perjury.

220 ~~(h) The department shall establish objective, reasonable~~  
221 ~~criteria for prioritizing grant applications, consistent with~~  
222 ~~the requirements of this section.~~

223 ~~(i)~~ The department shall develop a process that ensures the  
224 most efficient means to collect and verify grant applications to  
225 determine eligibility and may direct hurricane mitigation  
226 inspectors to collect and verify grant application information  
227 or use the Internet or other electronic means to collect  
228 information and determine eligibility.

229 (3) EDUCATION, AND CONSUMER AWARENESS, AND OUTREACH.-

230 (a) The department may undertake a statewide multimedia  
231 public outreach and advertising campaign to inform consumers of  
232 the availability and benefits of hurricane inspections and of



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233 the safety and financial benefits of residential hurricane  
234 damage mitigation. The department may seek out and use local,  
235 state, federal, and private funds to support the campaign.

236 (b) The program may develop brochures for distribution to  
237 Citizens Property Insurance Corporation, general contractors,  
238 roofing contractors, and real estate brokers and sales  
239 associates who are licensed under part I of chapter 475 which  
240 provide information on the benefits to homeowners of residential  
241 hurricane damage mitigation. Citizens Property Insurance  
242 Corporation is encouraged to distribute the brochure to its  
243 policyholders. Contractors are encouraged to distribute the  
244 brochures to homeowners at the first meeting with a homeowner  
245 who is considering contracting for home or roof repair or  
246 contracting for the construction of a new home. Real estate  
247 brokers and sales associates are encouraged to distribute the  
248 brochure to clients before the purchase of a home. The brochures  
249 may be made available electronically.

250 (4) FUNDING.—The department may seek out and leverage  
251 local, state, federal, or private funds to enhance the financial  
252 resources of the program.

253 (5) RULES.—The Department of Financial Services shall adopt  
254 rules pursuant to ss. 120.536(1) and 120.54 to govern the  
255 program; implement the provisions of this section; including  
256 rules governing hurricane mitigation inspections and grants,  
257 mitigation contractors, and training of inspectors and  
258 contractors; and carry out the duties of the department under  
259 this section.

260 (6) HURRICANE MITIGATION INSPECTOR LIST.—The department  
261 shall develop and maintain as a public record a current list of

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262 hurricane mitigation inspectors authorized to conduct hurricane  
263 mitigation inspections pursuant to this section.

264 ~~(7) PUBLIC OUTREACH FOR CONTRACTORS AND REAL ESTATE BROKERS~~  
265 ~~AND SALES ASSOCIATES. The program shall develop brochures for~~  
266 ~~distribution to general contractors, roofing contractors, and~~  
267 ~~real estate brokers and sales associates licensed under part I~~  
268 ~~of chapter 475 explaining the benefits to homeowners of~~  
269 ~~residential hurricane damage mitigation. The program shall~~  
270 ~~encourage contractors to distribute the brochures to homeowners~~  
271 ~~at the first meeting with a homeowner who is considering~~  
272 ~~contracting for home or roof repairs or contracting for the~~  
273 ~~construction of a new home. The program shall encourage real~~  
274 ~~estate brokers and sales associates licensed under part I of~~  
275 ~~chapter 475 to distribute the brochures to clients prior to the~~  
276 ~~purchase of a home. The brochures may be made available~~  
277 ~~electronically.~~

278 ~~(8) CONTRACT MANAGEMENT.-~~

279 (a) The department may contract with third parties for  
280 grants management, inspection services, contractor services for  
281 low-income homeowners, information technology, educational  
282 outreach, and auditing services. Such contracts are ~~shall be~~  
283 considered direct costs of the program and are ~~shall not be~~  
284 subject to administrative cost limits, ~~but contracts valued at~~  
285 ~~\$1 million or more shall be subject to review and approval by~~  
286 ~~the Legislative Budget Commission. The department shall contract~~  
287 with providers that have a demonstrated record of successful  
288 business operations in areas directly related to the services to  
289 be provided and shall ensure the highest accountability for use  
290 of state funds, consistent with this section.

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291       (b) The department shall implement a quality assurance and  
292 reinspection program that determines whether initial inspections  
293 and home improvements are completed in a manner consistent with  
294 the intent of the program. The department may use valid random  
295 sampling in order to perform the quality assurance portion of  
296 the program.

297       ~~(8)(9)~~ INTENT.—It is the intent of the Legislature that  
298 grants made to residential property owners under this section  
299 shall be considered disaster-relief assistance within the  
300 meaning of s. 139 of the Internal Revenue Code of 1986, as  
301 amended.

302       ~~(9)(10)~~ REPORTS.—The department shall make an annual report  
303 on the activities of the program that shall account for the use  
304 of state funds and indicate the number of inspections requested,  
305 the number of inspections performed, the number of grant  
306 applications received, the number and value of grants approved,  
307 and the estimated average annual amount of insurance premium  
308 discounts and total estimated annual amount of insurance premium  
309 discounts homeowners received from insurers as a result of  
310 mitigation funded through the program. The report must ~~shall~~ be  
311 delivered to the President of the Senate and the Speaker of the  
312 House of Representatives by February 1 of each year.

313       Section 2. For the purpose of incorporating the amendments  
314 made by this act to section 215.5586, Florida Statutes, in a  
315 reference thereto, subsection (3) of section 215.5588, Florida  
316 Statutes, is reenacted to read:

317       215.5588 Florida Disaster Recovery Program.—

318       (3) Up to 78 percent of these funds may be used to  
319 complement the grants awarded by the Department of Financial

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320 Services under s. 215.5586 and fund other eligible disaster-  
321 related activities supporting housing rehabilitation, hardening,  
322 mitigation, and infrastructure improvements at the request of  
323 the local governments in order to assist the State of Florida in  
324 better serving low-income homeowners in single-family housing  
325 units, including, but not limited to, condominiums. Up to 20  
326 percent of the funds may be used to provide inspections and  
327 mitigation improvements to multifamily units receiving rental  
328 assistance under projects of the United States Department of  
329 Housing and Urban Development or the Rural Development Division  
330 of the United States Department of Agriculture.

331 Section 3. This act shall take effect July 1, 2023.