

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; specifying that
 8 townhouses are included in such properties; revising
 9 the information provided to homeowners as part of a
 10 hurricane mitigation inspection; revising the
 11 hurricane mitigation inspectors that may be selected
 12 by the Department of Financial Services to provide
 13 hurricane mitigation inspections; deleting a provision
 14 requiring the department to implement a certain
 15 quality assurance program; authorizing the department
 16 to establish specified criteria for prioritizing
 17 inspection applications; revising the criteria for
 18 mitigation grant eligibility for homeowners; deleting
 19 a provision that subjects mitigation projects to
 20 random reinspection for a specified timeframe;
 21 revising the improvements for which mitigation grants
 22 may be used; revising the amount low-income homeowners
 23 may receive from the department under the grant
 24 program; deleting a provision authorizing low-income
 25 homeowners to use grant funds for specified purposes;

26 deleting a requirement that the department establish
27 specified criteria for prioritizing grant
28 applications; authorizing, rather than requiring, the
29 program to develop and distribute certain brochures to
30 specified persons; deleting a provision requiring
31 certain contracts entered into by the department to be
32 reviewed and approved by the Legislative Budget
33 Commission; requiring the department to develop a
34 certain quality assurance and reinspection program;
35 revising the contents of the annual report the
36 department is required to deliver to the Legislature;
37 conforming provisions to changes made by the act;
38 making technical changes; reenacting s. 215.5588(3),
39 F.S., relating to the Florida Disaster Recovery
40 Program, to incorporate the amendments made to s.
41 215.5586, F.S., in a reference thereto; providing an
42 effective date.

43
44 Be It Enacted by the Legislature of the State of Florida:

45
46 Section 1. Section 215.5586, Florida Statutes, is amended
47 to read:

48 215.5586 My Safe Florida Home Program.—There is
49 established within the Department of Financial Services the My
50 Safe Florida Home Program. The department shall provide fiscal

51 accountability, contract management, and strategic leadership
52 for the program, consistent with this section. This section does
53 not create an entitlement for property owners or obligate the
54 state in any way to fund the inspection or retrofitting of
55 residential property in this state. Implementation of this
56 program is subject to annual legislative appropriations. It is
57 the intent of the Legislature that the My Safe Florida Home
58 Program provide licensed ~~trained and certified~~ inspectors to
59 perform inspections for owners of site-built, single-family,
60 residential properties and grants to eligible applicants as
61 funding allows. The program shall develop and implement a
62 comprehensive and coordinated approach for hurricane damage
63 mitigation that may include the following:

64 (1) HURRICANE MITIGATION INSPECTIONS.—

65 (a) Licensed ~~Certified~~ inspectors are to provide home
66 ~~home-retrofit~~ inspections of site-built, single-family,
67 residential properties for which a homestead exemption has been
68 granted, property may be offered to determine what mitigation
69 measures are needed, what insurance premium discounts may be
70 available, and what improvements to existing residential
71 properties are needed to reduce the property's vulnerability to
72 hurricane damage. The term "single-family, residential property"
73 includes those properties defined as townhouses in s. 481.203.

74 (b) The Department of Financial Services shall contract
75 with wind certification entities to provide hurricane mitigation

76 inspections. The inspections provided to homeowners, at a
 77 minimum, must include:

78 1. A home inspection and report that summarizes the
 79 results and identifies recommended improvements a homeowner may
 80 take to mitigate hurricane damage.

81 2. A range of cost estimates regarding the recommended
 82 mitigation improvements.

83 3. ~~Insurer-specific~~ Information regarding estimated
 84 premium discounts, correlated to the current mitigation features
 85 and the recommended mitigation improvements identified by the
 86 inspection.

87 ~~(c)(b)~~ To qualify for selection by the department as a
 88 wind certification entity to provide hurricane mitigation
 89 inspections, the entity must ~~shall~~, at a minimum, meet the
 90 following requirements:

91 1. Use hurricane mitigation inspectors who are licensed or
 92 certified as:

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

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

96 c. ~~Are licensed as~~ A professional engineer under s.
 97 471.015 ~~and who have passed the appropriate equivalency test of~~
 98 ~~the building code training program as required by s. 553.841;~~

99 d. ~~Are licensed as~~ A professional architect under s.
 100 481.213; or

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

111 2. Use hurricane mitigation inspectors who also:
 112 ~~a.~~ have undergone drug testing and a level II background
 113 screening. The department may conduct criminal record checks of
 114 inspectors used by wind certification entities. Inspectors must
 115 submit a set of ~~the~~ fingerprints to the department for state and
 116 national criminal history checks and must pay the fingerprint
 117 processing fee set forth in s. 624.501. The fingerprints must
 118 ~~shall~~ be sent by the department to the Department of Law
 119 Enforcement and forwarded to the Federal Bureau of Investigation
 120 for processing. The results must ~~shall~~ be returned to the
 121 department for screening. The fingerprints must ~~shall~~ be taken
 122 by a law enforcement agency, designated examination center, or
 123 other department-approved entity; ~~and~~

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

126 3. Provide a quality assurance program including a
127 reinspection component.

128 ~~(c) The department shall implement a quality assurance~~
129 ~~program that includes a statistically valid number of~~
130 ~~reinspections.~~

131 (d) An application for an inspection must contain a signed
132 or electronically verified statement made under penalty of
133 perjury that the applicant has submitted only a single
134 application for that home.

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

140 (f) The department may establish objective, reasonable
141 criteria for prioritizing inspection applications, consistent
142 with the requirements of this section.

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

147 (a) For a homeowner, including an owner of a townhouse as
148 defined in s. 481.203, to be eligible for a grant, the following
149 criteria must be met:

150 1. The homeowner must have been granted a homestead

151 exemption on the home under chapter 196.

152 2. The home must be a dwelling with an insured value of
 153 \$500,000 or less. Homeowners who are low-income persons, as
 154 defined in s. 420.0004(11), are exempt from this requirement.

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

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

160 ~~5.~~ The building permit application for initial
 161 construction of the home must have been made before January 1,
 162 2008.

163 ~~5.6.~~ The homeowner must agree to make his or her home
 164 available for inspection once a mitigation project is completed.

165
 166 An application for a grant must contain a signed or
 167 electronically verified statement made under penalty of perjury
 168 that the applicant has submitted only a single application and
 169 must have attached documents demonstrating the applicant meets
 170 the requirements of this paragraph.

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

175 (c) The program shall create a process in which

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176 contractors agree to participate and homeowners select from a
177 list of participating contractors. All mitigation must be based
178 upon the securing of all required local permits and inspections
179 and must be performed by properly licensed contractors.
180 ~~Mitigation projects are subject to random reinspection of up to~~
181 ~~at least 5 percent of all projects.~~ Hurricane mitigation
182 inspectors qualifying for the program may also participate as
183 mitigation contractors as long as the inspectors meet the
184 department's qualifications and certification requirements for
185 mitigation contractors.

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

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

- 195 1. Opening protection.
- 196 2. Exterior doors, including garage doors.
- 197 3. ~~Brace gable ends.~~
- 198 4. Reinforcing roof-to-wall connections.
- 199 4.5. Improving the strength of roof-deck attachments.
- 200 ~~6. Upgrading roof covering from code to code plus.~~

201 ~~5.7.~~ Secondary water barrier for roof.

202

203 The department may require that improvements be made to all
 204 openings, including exterior doors and garage doors, as a
 205 condition of reimbursing a homeowner approved for a grant. The
 206 department may adopt, by rule, the maximum grant allowances for
 207 any improvement allowable under this paragraph.

208 (f) Grants may be used on a previously inspected existing
 209 structure or on a rebuild. A rebuild is defined as a site-built,
 210 single-family dwelling under construction to replace a home that
 211 was destroyed or significantly damaged by a hurricane and deemed
 212 unlivable by a regulatory authority. The homeowner must be a
 213 low-income homeowner as defined in paragraph (g), must have had
 214 a homestead exemption for that home before ~~prior to~~ the
 215 hurricane, and must be intending to rebuild the home as that
 216 homeowner's homestead.

217 (g) Low-income homeowners, as defined in s. 420.0004(11),
 218 who otherwise meet the requirements of paragraphs (a), (c), (e),
 219 and (f) are eligible for a grant of up to \$10,000 ~~\$5,000~~ and are
 220 not required to provide a matching amount to receive the grant.
 221 ~~Additionally, for low-income homeowners, grant funding may be~~
 222 ~~used for repair to existing structures leading to any of the~~
 223 ~~mitigation improvements provided in paragraph (e), limited to 20~~
 224 ~~percent of the grant value.~~ The program may accept a
 225 certification directly from a low-income homeowner that the

226 homeowner meets the requirements of s. 420.0004(11) if the
 227 homeowner provides such certification in a signed or
 228 electronically verified statement made under penalty of perjury.

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

232 ~~(i)~~ The department shall develop a process that ensures
 233 the most efficient means to collect and verify grant
 234 applications to determine eligibility and may direct hurricane
 235 mitigation inspectors to collect and verify grant application
 236 information or use the Internet or other electronic means to
 237 collect information and determine eligibility.

238 (3) EDUCATION, AND CONSUMER AWARENESS, AND OUTREACH.—

239 (a) The department may undertake a statewide multimedia
 240 public outreach and advertising campaign to inform consumers of
 241 the availability and benefits of hurricane inspections and of
 242 the safety and financial benefits of residential hurricane
 243 damage mitigation. The department may seek out and use local,
 244 state, federal, and private funds to support the campaign.

245 (b) The program may develop brochures for distribution to
 246 general contractors, roofing contractors, and real estate
 247 brokers and sales associates who are licensed under part I of
 248 chapter 475 which provide information on the benefits to
 249 homeowners of residential hurricane damage mitigation.
 250 Contractors are encouraged to distribute the brochures to

251 homeowners at the first meeting with a homeowner who is
 252 considering contracting for home or roof repair or contracting
 253 for the construction of a new home. Real estate brokers and
 254 sales associates are encouraged to distribute the brochure to
 255 clients before the purchase of a home. The brochures may be made
 256 available electronically.

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

260 (5) RULES.—The Department of Financial Services shall
 261 adopt rules pursuant to ss. 120.536(1) and 120.54 to govern the
 262 program; implement the provisions of this section; including
 263 rules governing hurricane mitigation inspections and grants,
 264 mitigation contractors, and training of inspectors and
 265 contractors; and carry out the duties of the department under
 266 this section.

267 (6) HURRICANE MITIGATION INSPECTOR LIST.—The department
 268 shall develop and maintain as a public record a current list of
 269 hurricane mitigation inspectors authorized to conduct hurricane
 270 mitigation inspections pursuant to this section.

271 ~~(7) PUBLIC OUTREACH FOR CONTRACTORS AND REAL ESTATE~~
 272 ~~BROKERS AND SALES ASSOCIATES.—The program shall develop~~
 273 ~~brochures for distribution to general contractors, roofing~~
 274 ~~contractors, and real estate brokers and sales associates~~
 275 ~~licensed under part I of chapter 475 explaining the benefits to~~

276 ~~homeowners of residential hurricane damage mitigation. The~~
 277 ~~program shall encourage contractors to distribute the brochures~~
 278 ~~to homeowners at the first meeting with a homeowner who is~~
 279 ~~considering contracting for home or roof repairs or contracting~~
 280 ~~for the construction of a new home. The program shall encourage~~
 281 ~~real estate brokers and sales associates licensed under part I~~
 282 ~~of chapter 475 to distribute the brochures to clients prior to~~
 283 ~~the purchase of a home. The brochures may be made available~~
 284 ~~electronically.~~

285 ~~(8)~~ CONTRACT MANAGEMENT.—

286 (a) The department may contract with third parties for
 287 grants management, inspection services, contractor services for
 288 low-income homeowners, information technology, educational
 289 outreach, and auditing services. Such contracts are ~~shall be~~
 290 considered direct costs of the program and are ~~shall not be~~
 291 subject to administrative cost limits, ~~but contracts valued at~~
 292 ~~\$1 million or more shall be subject to review and approval by~~
 293 ~~the Legislative Budget Commission.~~ The department shall contract
 294 with providers that have a demonstrated record of successful
 295 business operations in areas directly related to the services to
 296 be provided and shall ensure the highest accountability for use
 297 of state funds, consistent with this section.

298 (b) The department shall implement a quality assurance and
 299 reinspection program that determines whether initial inspections
 300 and home improvements are completed in a manner consistent with

301 the intent of the program. The department may use valid random
 302 sampling in order to perform the quality assurance portion of
 303 the program.

304 (8)-(9) INTENT.—It is the intent of the Legislature that
 305 grants made to residential property owners under this section
 306 shall be considered disaster-relief assistance within the
 307 meaning of s. 139 of the Internal Revenue Code of 1986, as
 308 amended.

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

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

324 215.5588 Florida Disaster Recovery Program.—

325 (3) Up to 78 percent of these funds may be used to

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

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