

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	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

1 Committee/Subcommittee hearing bill: Insurance & Banking  
 2 Subcommittee

3 Representative Lopez, V. offered the following:

4

5 **Amendment**

6 Remove lines 62-150 and insert:

7 (b) "Association property" means that property, real and  
 8 personal, which is owned or leased by, or is dedicated by a  
 9 recorded plat to, the association for the use and benefit of its  
 10 members and is located in the service area.

11 (c) "Board of administration" has the same meaning as in  
 12 s. 718.103.

13 (d) "Condominium" has the same meaning as in s. 718.103.

14 (e) "Condominium property" means the lands, leaseholds,  
 15 and personal property that are subjected to condominium  
 16 ownership, whether or not contiguous, and all improvements

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17 thereon and all easements and rights appurtenant thereto  
18 intended for use in connection with the condominium and is  
19 located in the service area.

20 (f) "Department" means the Department of Financial  
21 Services.

22 (g) "Property" means association property and condominium  
23 property, as applicable, located in the service area.

24 (h) "Rebuild" means property under construction to replace  
25 a structure that was destroyed or significantly damaged by a  
26 hurricane and deemed unlivable by a regulatory authority.

27 (i) "Service area" means the area of the state with 15  
28 miles inward of a coastline as defined in s. 376.031.

29 (j) "Unit" has the same meaning as in s. 718.103.

30 (k) "Unit owner" has the same meaning as in s. 718.103.

31 (2) PARTICIPATION.—

32 (a) In order to apply for an inspection under subsection  
33 (4) or a grant under subsection (5) for association property or  
34 condominium property, an association must receive approval by a  
35 majority vote of the board of administration or a majority vote  
36 of the total voting interests of the association to participate  
37 in the pilot program.

38 (b) In order to apply for a grant under subsection (5)  
39 which improves one or more units within a condominium, an  
40 association must receive both of the following:

41 1. Approval by a majority vote of the board of

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42 administration or a majority vote of the total voting interests  
43 of the association to participate in a mitigation inspection.

44 2. A unanimous vote of all unit owners within the  
45 structure or building that is the subject of the mitigation  
46 grant.

47 (c) A unit owner may participate in the pilot program  
48 through a mitigation grant awarded to the association but may  
49 not participate individually in the pilot program.

50 (d) The votes required under this subsection may take  
51 place at the annual budget meeting of the association or at a  
52 unit owner meeting called for the purpose of taking such vote.  
53 Before a vote of the unit owners may be taken, the association  
54 must provide to the unit owners a clear disclosure of the pilot  
55 program on a form created by the department. The president and  
56 the treasurer of the board of administration must sign the  
57 disclosure form indicating that a copy of the form was provided  
58 to each unit owner of the association. The signed disclosure  
59 form and the minutes from the meeting at which the unit owners  
60 voted to participate in the pilot program must be maintained as  
61 part of the official records of the association. Within 14 days  
62 after an affirmative vote to participate in the pilot program,  
63 the association must provide written notice in the same manner  
64 as required under s. 718.112(2)(d) to all unit owners of the  
65 decision to participate in the pilot program.

66 (3) HURRICANE MITIGATION INSPECTORS.-

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67 (a) Licensed inspectors are to provide inspections of the  
68 property to determine the mitigation measures that are needed,  
69 the insurance premium discounts that may be available to the  
70 association, and the improvements to existing properties of the  
71 association that are needed to reduce a property's vulnerability  
72 to hurricane damage.

73 (b) The department shall contract with wind certification  
74 entities to provide hurricane mitigation inspections. To qualify  
75 for selection by the department as a wind certification entity  
76 to provide hurricane mitigation inspections, the entity must, at  
77 a minimum, meet all of the following requirements:

78 1. Use hurricane mitigation inspectors who are licensed or  
79 certified as:

80 a. A building inspector under s. 468.607;

81 b. A general, building, or residential contractor under s.  
82 489.111;

83 c. A professional engineer under s. 471.015;

84 d. A professional architect under s. 481.213; or

85 e. A home inspector under s. 468.8314 who has completed at  
86 least 3 hours of hurricane mitigation training approved by the  
87 Construction Industry Licensing Board, which must include  
88 hurricane mitigation techniques, compliance with the uniform  
89 mitigation verification form, and completion of a proficiency  
90 exam.

91 2. Use hurricane mitigation inspectors who have undergone

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92 drug testing and a background screening. The department may  
93 conduct criminal record checks of inspectors used by wind  
94 certification entities. Inspectors must submit a full set of  
95 fingerprints to the department or to a vendor, entity, or agency  
96 authorized by s. 943.053(13). The department, vendor, entity,  
97 or agency shall forward the fingerprints to the Department of  
98 Law Enforcement for state processing and the Department of Law  
99 Enforcement shall forward the fingerprints to the Federal Bureau  
100 of Investigation for national processing. Fees for state and  
101 federal fingerprint processing shall be borne by the applicant.  
102 The state cost for fingerprint processing shall be as provided  
103 in s. 943.053(3)(e).The results must be returned to the  
104 department for screening. The fingerprints must be taken by a  
105 law enforcement agency, designated examination center, or other  
106 department-approved entity.  
107