

Amendment No. 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WITHDRAWN	_____	(Y/N)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		

1 Committee/Subcommittee hearing bill: Commerce Committee
 2 Representative Lopez, V. offered the following:

Amendment

Remove lines 87-315 and insert:

6 (h) "Service area" means the area of the state which is 15
 7 miles inward of a coastline, as that term is defined in s.
 8 376.031.

9 (i) "Unit" has the same meaning as in s. 718.103.

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

11 (2) PARTICIPATION.—

12 (a) In order to apply for an inspection under subsection
 13 (4) or a grant under subsection (5) for association property or
 14 condominium property, an association must receive approval by a
 15 majority vote of the board of administration or a majority vote

Amendment No. 1

16 of the total voting interests of the association to participate
17 in the pilot program.

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

21 1. Approval by a majority vote of the board of
22 administration or a majority vote of the total voting interests
23 of the association to participate in a mitigation inspection.

24 2. A unanimous vote of all unit owners within the
25 structure or building that is the subject of the mitigation
26 grant.

27 (c) A unit owner may participate in the pilot program
28 through a mitigation grant awarded to the association but may
29 not participate individually in the pilot program.

30 (d) The votes required under this subsection may take
31 place at the annual budget meeting of the association or at a
32 unit owner meeting called for the purpose of taking such vote.
33 Before a vote of the unit owners may be taken, the association
34 must provide to the unit owners a clear disclosure of the pilot
35 program on a form created by the department. The president and
36 the treasurer of the board of administration must sign the
37 disclosure form indicating that a copy of the form was provided
38 to each unit owner of the association. The signed disclosure
39 form and the minutes from the meeting at which the unit owners
40 voted to participate in the pilot program must be maintained as

785877 - h1029-line 87.docx

Published On: 2/21/2024 10:10:53 PM

Amendment No. 1

41 part of the official records of the association. Within 14 days
42 after an affirmative vote to participate in the pilot program,
43 the association must provide written notice in the same manner
44 as required under s. 718.112(2)(d) to all unit owners of the
45 decision to participate in the pilot program.

46 (e) Only condominiums of three stories or less are
47 eligible to participate in the program.

48 (3) HURRICANE MITIGATION INSPECTORS.—

49 (a) Licensed inspectors are to provide inspections of the
50 property to determine the mitigation measures that are needed,
51 the insurance premium discounts that may be available to the
52 association, and the improvements to existing properties of the
53 association that are needed to reduce a property's vulnerability
54 to hurricane damage.

55 (b) The department shall contract with wind certification
56 entities to provide hurricane mitigation inspections. To qualify
57 for selection by the department as a wind certification entity
58 to provide hurricane mitigation inspections, the entity must, at
59 a minimum, meet all of the following requirements:

60 1. Use hurricane mitigation inspectors who are licensed or
61 certified as:

62 a. A building inspector under s. 468.607;

63 b. A general, building, or residential contractor under s.
64 489.111;

65 c. A professional engineer under s. 471.015;

785877 - h1029-line 87.docx

Published On: 2/21/2024 10:10:53 PM

Amendment No. 1

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

67 e. A home inspector under s. 468.8314 who has completed at
68 least 3 hours of hurricane mitigation training approved by the
69 Construction Industry Licensing Board, which must include
70 hurricane mitigation techniques, compliance with the uniform
71 mitigation verification form, and completion of a proficiency
72 exam.

73 2. Use hurricane mitigation inspectors who have undergone
74 drug testing and a background screening. The department may
75 conduct criminal record checks of inspectors used by wind
76 certification entities. Inspectors must submit a full set of
77 fingerprints to the department or to a vendor, an entity, or an
78 agency authorized under s. 943.053(13). The department, vendor,
79 entity, or agency shall forward the fingerprints to the
80 Department of Law Enforcement for state processing and the
81 Department of Law Enforcement shall forward the fingerprints to
82 the Federal Bureau of Investigation for national processing.
83 Fees for state and federal fingerprint processing shall be borne
84 by the inspector. The state cost for fingerprint processing
85 shall be as provided in s. 943.053(3) (e). The results must be
86 returned to the department for screening. The fingerprints must
87 be taken by a law enforcement agency, designated examination
88 center, or other department-approved entity.

89 3. Provide a quality assurance program including a
90 reinspection component.

785877 - h1029-line 87.docx

Published On: 2/21/2024 10:10:53 PM

Amendment No. 1

91 (4) HURRICANE MITIGATION INSPECTIONS.—

92 (a) The inspections provided to an association under this
93 section must, at a minimum, include all of the following:

94 1. An inspection of the property, and a report that
95 summarizes the results and identifies recommended improvements
96 the association may take to mitigate hurricane damage.

97 2. A range of cost estimates regarding the recommended
98 mitigation improvements.

99 3. Information regarding estimated insurance premium
100 discounts, correlated to the current mitigation features and the
101 recommended mitigation improvements identified by the
102 inspection.

103 (b) An application for an inspection must contain a signed
104 or electronically verified statement made under penalty of
105 perjury by the president of the board of administration that the
106 association has submitted only a single application for each
107 property that the association operates or maintains.

108 (c) An association may apply for and receive an inspection
109 without also applying for a grant under subsection (5).

110 (5) MITIGATION GRANTS.—Financial grants may be used by
111 associations to make improvements recommended by an inspection
112 which increases the condominium's resistance to hurricane
113 damage.

114 (a) An application for a mitigation grant must:

Amendment No. 1

115 1. Contain a signed or electronically verified statement
116 made under penalty of perjury by the president of the board of
117 administration that the association has submitted only a single
118 application for each property that the association operates or
119 maintains.

120 2. Include a notarized statement from the president of the
121 board of administration containing the name and license number
122 of each contractor the association intends to use for the
123 mitigation project.

124 3. Include a notarized statement from the president of the
125 board of administration which commits to the department that the
126 association will complete the mitigation improvements. If the
127 grant will be used to improve units, the application must also
128 include an acknowledged statement from each unit owner who is
129 required to provide approval for a grant under paragraph (2) (b).

130 (b) An association may select its own contractors for the
131 mitigation project as long as each contractor meets all
132 qualification, certification, or licensing requirements in
133 general law. A mitigation project must be performed by a
134 properly licensed contractor who has secured all required local
135 permits necessary for the project. The department must
136 electronically verify that the contractor's state license number
137 is accurate and up to date before approving a grant application.

138 (c) An association awarded a grant must complete the
139 entire mitigation project in order to receive the final grant

Amendment No. 1

140 award and must agree to make the property available for a final
141 inspection once the mitigation project is finished to ensure the
142 mitigation improvements are completed in a matter consistent
143 with the intent of the pilot program and meet or exceed the
144 applicable Florida Building Code requirements. Construction must
145 be completed and the association must submit a request to the
146 department for a final inspection, or request an extension of
147 time, within 1 year after receiving grant approval. If the
148 association fails to comply with this paragraph, the application
149 is deemed abandoned and the grant money reverts back to the
150 department.

151 (d) Grant projects shall be funded as follows:

152 1. All grants must be matched on the basis of \$1 provided
153 by the association for \$2 provided by the state.

154 2. For roof-related projects, the grant contribution is
155 \$11 per square foot multiplied by the square footage of the
156 replacement roof, not to exceed \$1,000 per unit, with a maximum
157 grant award of 50 percent of the cost of the project.

158 3. For opening protection-related projects, the grant
159 contribution is a maximum of \$750 per replacement window or
160 door, not to exceed \$1,500 per unit, with a maximum grant award
161 of 50 percent of the cost of the project.

162 4. An association may receive grant funds for both roof-
163 related and opening protection-related projects, but the maximum
164 total grant award may not exceed \$175,000 per association.

785877 - h1029-line 87.docx

Published On: 2/21/2024 10:10:53 PM

Amendment No. 1

165 5. The department may not accept grant applications or
166 maintain a waiting list for grants after the cumulative value of
167 the grants awarded have fully obligated the appropriation,
168 unless otherwise expressly authorized by the Legislature.

169 (e) When recommended by a hurricane mitigation inspection
170 report, grants for eligible associations may be used for the
171 following improvements:

172 1. Opening protection, including exterior doors, garage
173 doors, windows, and skylights.

174 2. Reinforcing roof-to-wall connections.

175 3. Improving the strength of roof-deck attachments.

176 4. Secondary water resistance for roof.

177 (f) Grants may be used for a previously inspected existing
178 structure on the property.

179 (g)1. If improvements to protect the property which
180 complied with the current applicable building code at the time
181 have been previously installed, the association must use a
182 mitigation grant to install improvements that do both of the
183 following:

184 a. Comply with or exceed the applicable building code in
185 effect at the time the association applied for the grant.

186 b. Provide more hurricane protection than the improvements
187 that the association previously installed.

188 2. The association may not use a mitigation grant to:

Amendment No. 1

189 a. Install the same type of improvements that were
190 previously installed; or
191 b. Pay a deductible for a pending insurance claim for
192 damage that is part of the property for which grant funds are
193 being received.
194 (h) The department shall develop a process that ensures
195 the most efficient means to collect and verify inspection and
196 grant applications to determine eligibility. The department may
197 direct hurricane mitigation inspectors to collect and verify
198 inspection and grant application information or use the Internet
199 or other electronic means to collect information and determine
200 eligibility.
201 (6) CONTRACT MANAGEMENT.—
202 (a) The department may contract with third parties for
203 grants management, inspection services, contractor services,
204 information technology, educational outreach, and auditing
205 services. Such contracts are considered direct costs of the
206 pilot program and are not subject to administrative cost limits.
207 The department shall contract with providers that have a
208 demonstrated record of successful business operations in areas
209 directly related to the services to be provided and shall ensure
210 the highest accountability for use of state funds, consistent
211 with this section.
212 (b) The department shall implement a quality assurance and
213 reinspection program that determines whether initial inspections

785877 - h1029-line 87.docx

Published On: 2/21/2024 10:10:53 PM

Amendment No. 1

214 and mitigation improvements are completed in a manner consistent
215 with the intent of the pilot program. The department may use a
216 valid random sampling in order to perform the quality assurance
217 portion of the pilot program.

218 (7) REPORTS.—By February 1 of each year, the department
219 shall submit a report to the President of the Senate and the
220 Speaker of the House of Representatives on the activities of the
221 pilot program and the use of state funds. The report must
222 include all of the following information:

223 (a) The number of inspections requested.

224 (b) The number of inspections performed.

225 (c) The number of grant applications received.

226 (d) The number of grants approved and the monetary value
227 of each grant.

228 (e) The estimated average annual amount of insurance
229 premium discounts each association received and the total
230 estimated annual amount of insurance premium discounts received
231 by all associations participating in the pilot program.

232 (f) The estimated average annual amount of insurance
233 premium discounts each unit owner received as a result of the
234 improvements to the building or structure.

235 (8) REQUESTS FOR INFORMATION.—The department may request
236 that an applicant provide additional information. An application
237 is deemed withdrawn by the applicant if the department does not
238 receive a response to its request for additional information

785877 - h1029-line 87.docx

Published On: 2/21/2024 10:10:53 PM

Amendment No. 1

239 | within 60 days after the notification of any apparent error or
240 | omission in the application.

241 | (9) RULES.—The department shall adopt rules pursuant to
242 | ss. 120.536(1) and 120.54 to govern the program; implement the
243 | provisions of this section; including rules governing hurricane
244 | mitigation inspections and grants, mitigation contractors, and
245 | training of inspectors and contractors; and carry out the duties
246 | of the department under this section.

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