

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WITHDRAWN	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 LaMarca offered the following:

4  
 5 **Amendment (with title amendment)**

6 Remove lines 70-310 and insert:

7 (a) To be eligible for a hurricane mitigation inspection  
 8 under the program:

9 1. A home must be a single-family, detached residential  
 10 property or a townhouse as defined in s. 481.203;

11 2. A home must be site-built and owner-occupied; and

12 3. The homeowner must have been granted a homestead  
 13 exemption on the home under chapter 196.

14 (b)1. An application for a hurricane mitigation inspection  
 15 must contain a signed or electronically verified statement made  
 16 under penalty of perjury that the applicant has submitted only

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17 one inspection application on the home or that the application  
18 is allowed under subparagraph 2., and the application must have  
19 documents attached which demonstrate that the applicant meets  
20 the requirements of paragraph (a).

21 2. An applicant may submit a subsequent hurricane  
22 mitigation inspection application for the same home only if:

23 a. The original hurricane mitigation inspection  
24 application has been denied or withdrawn because of errors or  
25 omissions in the application;

26 b. The original hurricane mitigation inspection  
27 application was denied or withdrawn because the home did not  
28 meet the eligibility criteria for an inspection at the time of  
29 the previous application, and the homeowner reasonably believes  
30 the home now is eligible for an inspection; or

31 c. The program's eligibility requirements for an  
32 inspection have changed since the original application date, and  
33 the applicant reasonably believes the home is eligible under the  
34 new requirements.

35 (c) An applicant meeting the requirements of paragraph (a)  
36 may receive an inspection of a home under the program without  
37 being eligible for a grant under subsection (2) or applying for  
38 such grant.

39 (d) Licensed inspectors are to provide home inspections of  
40 eligible homes ~~site-built, single-family, residential properties~~  
41 ~~for which a homestead exemption has been granted,~~ to determine

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42 what mitigation measures are needed, what insurance premium  
43 discounts may be available, and what improvements to existing  
44 residential properties are needed to reduce the property's  
45 vulnerability to hurricane damage. An inspector may inspect a  
46 townhouse as defined in s. 481.203 to determine if opening  
47 protection mitigation as listed in subparagraph (2) (e)1.  
48 ~~paragraph (2) (e)~~ would provide improvements to mitigate  
49 hurricane damage.

50 (e)~~(b)~~ The department of ~~Financial Services~~ shall contract  
51 with wind certification entities to provide hurricane mitigation  
52 inspections. The inspections provided to homeowners, at a  
53 minimum, must include:

54 1. A home inspection and report that summarizes the  
55 results and identifies recommended improvements a homeowner may  
56 take to mitigate hurricane damage.

57 2. A range of cost estimates regarding the recommended  
58 mitigation improvements.

59 3. Information regarding estimated premium discounts,  
60 correlated to the current mitigation features and the  
61 recommended mitigation improvements identified by the  
62 inspection.

63 (f)~~(e)~~ To qualify for selection by the department as a  
64 wind certification entity to provide hurricane mitigation  
65 inspections, the entity must, at a minimum, meet the following  
66 requirements:

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67 1. Use hurricane mitigation inspectors who are licensed or  
68 certified as:

69 a. A building inspector under s. 468.607;

70 b. A general, building, or residential contractor under s.  
71 489.111;

72 c. A professional engineer under s. 471.015;

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

74 e. A home inspector under s. 468.8314 and who have  
75 completed at least 3 hours of hurricane mitigation training  
76 approved by the Construction Industry Licensing Board, which  
77 training must include hurricane mitigation techniques,  
78 compliance with the uniform mitigation verification form, and  
79 completion of a proficiency exam.

80 2. Use hurricane mitigation inspectors who also have  
81 undergone drug testing and a background screening. The  
82 department may conduct criminal record checks of inspectors used  
83 by wind certification entities. Inspectors must submit a set of  
84 fingerprints to the department for state and national criminal  
85 history checks and must pay the fingerprint processing fee set  
86 forth in s. 624.501. The fingerprints must be sent by the  
87 department to the Department of Law Enforcement and forwarded to  
88 the Federal Bureau of Investigation for processing. The results  
89 must be returned to the department for screening. The  
90 fingerprints must be taken by a law enforcement agency,  
91 designated examination center, or other department-approved

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92 entity.

93 3. Provide a quality assurance program including a  
94 reinspection component.

95 ~~(d) An application for an inspection must contain a signed~~  
96 ~~or electronically verified statement made under penalty of~~  
97 ~~perjury that the applicant has submitted only a single~~  
98 ~~application for that home.~~

99 ~~(e) The owner of a site-built, single-family, residential~~  
100 ~~property or townhouse as defined in s. 481.203, for which a~~  
101 ~~homestead exemption has been granted, may apply for and receive~~  
102 ~~an inspection without also applying for a grant pursuant to~~  
103 ~~subsection (2) and without meeting the requirements of paragraph~~  
104 ~~(2)(a).~~

105 (2) HURRICANE MITIGATION GRANTS.—Financial grants shall be  
106 used by homeowners ~~to encourage single-family, site-built,~~  
107 ~~owner-occupied, residential property owners to~~ make improvements  
108 recommended by an inspection which increase resistance ~~retrofit~~  
109 ~~their properties to make them less vulnerable to hurricane~~  
110 ~~damage.~~

111 (a) ~~For~~ A homeowner is ~~to be~~ eligible for a hurricane  
112 mitigation grant if all of, the following criteria are ~~must be~~  
113 met:

114 1. The home must be eligible for an inspection under  
115 subsection (1) ~~The homeowner must have been granted a homestead~~  
116 ~~exemption on the home under chapter 196.~~

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117 2. The home must be a dwelling with an insured value of  
118 \$700,000 or less. Homeowners who are low-income persons, as  
119 defined in s. 420.0004(11), are exempt from this requirement.

120 3. The home must undergo an acceptable hurricane  
121 mitigation inspection as provided in subsection (1).

122 4. The building permit application for initial  
123 construction of the home must have been made before January 1,  
124 2008.

125 5. The homeowner must agree to make his or her home  
126 available for inspection once a mitigation project is completed.

127 6. The homeowner must agree to provide to the department  
128 information received from the homeowner's insurer identifying  
129 the discounts realized by the homeowner because of the  
130 mitigation improvements funded through the program.

131 (b)1. An application for a grant must contain a signed or  
132 electronically verified statement made under penalty of perjury  
133 that the applicant has submitted only one grant ~~a single~~  
134 application or that the application is allowed under  
135 subparagraph 2., and the application must have ~~attached~~  
136 documents attached demonstrating that the applicant meets the  
137 requirements of ~~this~~ paragraph (a).

138 2. An applicant may submit a subsequent grant application  
139 if:

140 a. The original grant application was denied or withdrawn  
141 because the application contained errors or omissions;

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142 b. The original grant application was denied or withdrawn  
143 because the home did not meet the eligibility criteria for a  
144 grant at the time of the previous application, and the homeowner  
145 reasonably believes that the home now is eligible for a grant;  
146 or

147 c. The program's eligibility requirements for a grant have  
148 changed since the original application date, and the applicant  
149 reasonably believes that he or she is an eligible homeowner  
150 under the new requirements.

151 3. A grant application must include a statement from the  
152 homeowner which contains the name and state license number of  
153 the contractor that the homeowner acknowledges as the intended  
154 contractor for the mitigation work. The program must  
155 electronically verify that the contractor's state license number  
156 is accurate and up to date before grant approval.

157 (c)-(b) All grants must be matched on the basis of \$1  
158 provided by the applicant for \$2 provided by the state up to a  
159 maximum state contribution of \$10,000 toward the actual cost of  
160 the mitigation project, except as provided in paragraph (h).

161 (d)-(e) The program shall create a process in which  
162 contractors agree to participate and homeowners select from a  
163 list of participating contractors. All hurricane mitigation  
164 performed under the program must be based upon the securing of  
165 all required local permits and inspections and must be performed  
166 by properly licensed contractors. Hurricane mitigation

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167 ~~inspectors qualifying for the program may also participate as~~  
168 ~~mitigation contractors as long as the inspectors meet the~~  
169 ~~department's qualifications and certification requirements for~~  
170 ~~mitigation contractors.~~

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

178 (e) When recommended by a hurricane mitigation inspection,  
179 grants for eligible homes may be used for the following  
180 improvements:

181 1. Opening protection, including exterior doors, garage  
182 doors, windows, and skylights.

183 2. ~~Exterior doors, including garage doors.~~

184 3. Reinforcing roof-to-wall connections.

185 3.4. Improving the strength of roof-deck attachments.

186 4.5. Secondary water resistance barrier for roof.

187 (f) When recommended by a hurricane mitigation inspection,  
188 grants for townhouses, as defined in s. 481.203, may only be  
189 used for opening protection.

190 (g) The department may require that improvements be made  
191 to all openings, including exterior doors, ~~and~~ garage doors,

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192 windows, and skylights, as a condition of reimbursing a  
193 homeowner approved for a grant. The department may adopt, by  
194 rule, the maximum grant allowances for any improvement allowable  
195 under paragraph (e) or paragraph (f) ~~(e) or this paragraph.~~

196 ~~(g) Grants may be used on a previously inspected existing~~  
197 ~~structure or on a rebuild. A rebuild is defined as a site-built,~~  
198 ~~single-family dwelling under construction to replace a home that~~  
199 ~~was destroyed or significantly damaged by a hurricane and deemed~~  
200 ~~unlivable by a regulatory authority. The homeowner must be a~~  
201 ~~low-income homeowner as defined in paragraph (h), must have had~~  
202 ~~a homestead exemption for that home before the hurricane, and~~  
203 ~~must be intending to rebuild the home as that homeowner's~~  
204 ~~homestead.~~

205 (h) Low-income homeowners, as defined in s. 420.0004(11),  
206 who otherwise meet the applicable requirements of this  
207 subsection ~~paragraphs (a), (e), (e), and (g)~~ are eligible for a  
208 grant of up to \$10,000 and are not required to provide a  
209 matching amount to receive the grant. ~~The program may accept a~~  
210 ~~certification directly from a low-income homeowner that the~~  
211 ~~homeowner meets the requirements of s. 420.0004(11) if the~~  
212 ~~homeowner provides such certification in a signed or~~  
213 ~~electronically verified statement made under penalty of perjury.~~

214 (i)1. The department shall develop a process that ensures  
215 the most efficient means to collect and verify inspection  
216 applications and grant applications to determine eligibility.

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217 The department ~~and~~ may direct hurricane mitigation inspectors to  
218 collect and verify grant application information or use the  
219 Internet or other electronic means to collect information and  
220 determine eligibility.

221 2. The department shall prioritize the review and approval  
222 of such inspection applications and grant applications in the  
223 following order:

224 a. First, applications from low-income persons, as defined  
225 in s. 420.0004, who are at least 60 years old;

226 b. Second, applications from all other low-income persons,  
227 as defined in s. 420.0004;

228 c. Third, applications from moderate-income persons, as  
229 defined in s. 420.0004, who are at least 60 years old;

230 d. Fourth, applications from all other moderate-income  
231 persons, as defined in s. 420.0004; and

232 e. Last, all other applications.

233 3. The department shall start accepting inspection  
234 applications and grant applications no earlier than the  
235 effective date of a legislative appropriation funding  
236 inspections and grants, as follows:

237 a. Initially, from applicants prioritized under sub-  
238 subparagraph 2.a.;

239 b. From applicants prioritized under sub-subparagraph  
240 2.b., beginning 15 days after the program initially starts  
241 accepting applications;

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242 c. From applicants prioritized under sub-subparagraph  
243 2.c., beginning 30 days after the program initially starts  
244 accepting applications;

245 d. From applicants described in sub-subparagraph 2.d.,  
246 beginning 45 days after the program initially starts accepting  
247 applications; and

248 e. From all other applicants, beginning 60 days after the  
249 program initially starts accepting applications.

250 4. The program may accept a certification directly from a  
251 low-income homeowner or moderate-income homeowner who meets the  
252 requirements of s. 420.0004(11) or (12), respectively, if the  
253 homeowner provides such certification in a signed or  
254 electronically verified statement made under penalty of perjury.

255 (j) A homeowner who receives a grant shall finalize  
256 construction and request a final inspection, or request an  
257 extension for an additional 6 months, within 1 year after grant  
258 approval. If a homeowner fails to comply with this paragraph,  
259 his or her application is deemed abandoned and the grant money  
260 reverts to the department.

261 (3) REQUESTS FOR INFORMATION.—The department may request  
262 that an applicant provide additional information. An application  
263 is deemed withdrawn by the applicant if the department does not  
264 receive a response to its request for additional information  
265 within 60 days after the notification of any apparent error or  
266 omission.

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**T I T L E   A M E N D M E N T**

Remove lines 9-32 and insert:  
application under certain conditions; authorizing applicants who  
meet specified requirements to receive a home inspection under  
the program without being eligible for, or applying for, a  
grant; specifying eligibility requirements for hurricane  
mitigation grants; revising application requirements for  
hurricane mitigation grants; authorizing an applicant to submit  
a subsequent hurricane mitigation grant application under  
certain conditions; requiring that a grant application include  
certain information; deleting and revising provisions relating  
to the selection of hurricane mitigation inspectors and  
contractors; deleting the requirement that matching fund grants  
be made available to certain entities; revising improvements  
that grants for eligible homes may be used; deleting the  
authorization to use grants on rebuilds; requiring the  
Department of Financial Services to develop a process that  
ensures the most efficient means to collect and verify  
inspection applications; requiring the department to prioritize  
the review and approval of inspection and grant applications in  
a specified order; requiring the department to start accepting  
inspection and grant applications as specified in the act;  
requiring homeowners to finalize construction and make certain

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1263 (2024)

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292 requests within a specified time; providing that an application  
293 is deemed abandoned under certain circumstances; authorizing the  
294 department to request certain information; providing that an  
295 application is considered withdrawn under certain circumstances