

26 rebuilds; requiring the Department of Financial
 27 Services to develop a process that ensures the most
 28 efficient means to collect and verify inspection
 29 applications; requiring the department to prioritize
 30 the review and approval of inspection and grant
 31 applications in a specified order; requiring the
 32 department to start accepting inspection and grant
 33 applications as specified in the act; requiring
 34 homeowners to finalize construction and make certain
 35 requests within a specified time; providing that an
 36 application is deemed abandoned under certain
 37 circumstances; authorizing the department to request
 38 certain information; providing that an application is
 39 considered withdrawn under certain circumstances;
 40 revising provisions relating to the development of
 41 brochures; requiring the Citizens Property Insurance
 42 Corporation to distribute such brochures to specified
 43 persons; providing appropriations; providing an
 44 effective date.

45

46 Be It Enacted by the Legislature of the State of Florida:

47

48 Section 1. Section 215.5586, Florida Statutes, as amended
 49 by section 5 of chapter 2023-349, Laws of Florida, is amended to
 50 read:

51 215.5586 My Safe Florida Home Program.—There is
52 established within the Department of Financial Services the My
53 Safe Florida Home Program. The department shall provide fiscal
54 accountability, contract management, and strategic leadership
55 for the program, consistent with this section. This section does
56 not create an entitlement for property owners or obligate the
57 state in any way to fund the inspection or retrofitting of
58 residential property in this state. Implementation of this
59 program is subject to annual legislative appropriations. It is
60 the intent of the Legislature that, subject to the availability
61 of funds, the My Safe Florida Home Program provide licensed
62 inspectors to perform hurricane mitigation inspections of
63 eligible homes ~~for owners of site-built, single-family,~~
64 ~~residential properties~~ and grants to fund hurricane mitigation
65 projects on those homes ~~eligible applicants~~. The department
66 shall implement the program in such a manner that the total
67 amount of funding requested by accepted applications, whether
68 for inspections, grants, or other services or assistance, does
69 not exceed the total amount of available funds. If, after
70 applications are processed and approved, funds remain available,
71 the department may accept applications up to the available
72 amount. The program shall develop and implement a comprehensive
73 and coordinated approach for hurricane damage mitigation
74 pursuant to that may include the requirements provided in this
75 section. ~~following:~~

76 (1) HURRICANE MITIGATION INSPECTIONS.—

77 (a) To be eligible for a hurricane mitigation inspection
 78 under the program:

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

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

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

84 (b)1. An application for a hurricane mitigation inspection
 85 must contain a signed or electronically verified statement made
 86 under penalty of perjury that the applicant has submitted only
 87 one inspection application on the home or that the application
 88 is allowed under subparagraph 2., and the application must have
 89 documents attached which demonstrate that the applicant meets
 90 the requirements of paragraph (a).

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

93 a. The original hurricane mitigation inspection
 94 application has been denied or withdrawn because of errors or
 95 omissions in the application;

96 b. The original hurricane mitigation inspection
 97 application was denied or withdrawn because the home did not
 98 meet the eligibility criteria for an inspection at the time of
 99 the previous application, and the homeowner reasonably believes
 100 the home now is eligible for an inspection; or

101 c. The program's eligibility requirements for an
 102 inspection have changed since the original application date, and
 103 the applicant reasonably believes the home is eligible under the
 104 new requirements.

105 (c) An applicant meeting the requirements of paragraph (a)
 106 may receive an inspection of a home under the program without
 107 being eligible for a grant under subsection (2) or applying for
 108 such grant.

109 (d) Licensed inspectors are to provide home inspections of
 110 eligible homes ~~site-built, single-family, residential properties~~
 111 ~~for which a homestead exemption has been granted,~~ to determine
 112 what mitigation measures are needed, what insurance premium
 113 discounts may be available, and what improvements to existing
 114 residential properties are needed to reduce the property's
 115 vulnerability to hurricane damage. An inspector may inspect a
 116 townhouse as defined in s. 481.203 to determine if opening
 117 protection mitigation as listed in subparagraph (2) (e)1.
 118 ~~paragraph (2) (e)~~ would provide improvements to mitigate
 119 hurricane damage.

120 (e)(b) ~~The department of Financial Services~~ shall contract
 121 with wind certification entities to provide hurricane mitigation
 122 inspections. The inspections provided to homeowners, at a
 123 minimum, must include:

124 1. A home inspection and report that summarizes the
 125 results and identifies recommended improvements a homeowner may

126 take to mitigate hurricane damage.

127 2. A range of cost estimates regarding the recommended
128 mitigation improvements.

129 3. Information regarding estimated premium discounts,
130 correlated to the current mitigation features and the
131 recommended mitigation improvements identified by the
132 inspection.

133 (f)~~(e)~~ To qualify for selection by the department as a
134 wind certification entity to provide hurricane mitigation
135 inspections, the entity must, at a minimum, meet the following
136 requirements:

137 1. Use hurricane mitigation inspectors who are licensed or
138 certified as:

139 a. A building inspector under s. 468.607;

140 b. A general, building, or residential contractor under s.
141 489.111;

142 c. A professional engineer under s. 471.015;

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

144 e. A home inspector under s. 468.8314 and who have
145 completed at least 3 hours of hurricane mitigation training
146 approved by the Construction Industry Licensing Board, which
147 training must include hurricane mitigation techniques,
148 compliance with the uniform mitigation verification form, and
149 completion of a proficiency exam.

150 2. Use hurricane mitigation inspectors who also have

151 undergone drug testing and a background screening. The
152 department may conduct criminal record checks of inspectors used
153 by wind certification entities. Inspectors must submit a set of
154 fingerprints to the department for state and national criminal
155 history checks and must pay the fingerprint processing fee set
156 forth in s. 624.501. The fingerprints must be sent by the
157 department to the Department of Law Enforcement and forwarded to
158 the Federal Bureau of Investigation for processing. The results
159 must be returned to the department for screening. The
160 fingerprints must be taken by a law enforcement agency,
161 designated examination center, or other department-approved
162 entity.

163 3. Provide a quality assurance program including a
164 reinspection component.

165 ~~(d) An application for an inspection must contain a signed~~
166 ~~or electronically verified statement made under penalty of~~
167 ~~perjury that the applicant has submitted only a single~~
168 ~~application for that home.~~

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

175 (2) HURRICANE MITIGATION GRANTS.—Financial grants shall be

176 used by homeowners to make improvements recommended by an
177 inspection which increase resistance ~~encourage single-family,~~
178 ~~site-built, owner-occupied, residential property owners to~~
179 ~~retrofit their properties to make them less vulnerable to~~
180 hurricane damage.

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

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

187 2. The home must be a dwelling with an insured value of
188 \$700,000 or less. Homeowners who are low-income persons, as
189 defined in s. 420.0004(11), are exempt from this requirement.

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

192 4. The building permit application for initial
193 construction of the home must have been made before January 1,
194 2008.

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

197 6. The homeowner must agree to provide to the department
198 information received from the homeowner's insurer identifying
199 the discounts realized by the homeowner because of the
200 mitigation improvements funded through the program.

201 (b)1. An application for a grant must contain a signed or
 202 electronically verified statement made under penalty of perjury
 203 that the applicant has submitted only one grant ~~a single~~
 204 application or that the application is allowed under
 205 subparagraph 2., and the application must have ~~attached~~
 206 documents attached demonstrating that the applicant meets the
 207 requirements of ~~this~~ paragraph (a).

208 2. An applicant may submit a subsequent grant application
 209 if:

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

212 b. The original grant application was denied or withdrawn
 213 because the home did not meet the eligibility criteria for a
 214 grant at the time of the previous application, and the homeowner
 215 reasonably believes that the home now is eligible for a grant;
 216 or

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

221 3. A grant application must include a statement from the
 222 homeowner which contains the name and state license number of
 223 the contractor that the homeowner acknowledges as the intended
 224 contractor for the mitigation work. The program must
 225 electronically verify that the contractor's state license number

226 is accurate and up to date before grant approval.

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

231 ~~(d)(e)~~ ~~The program shall create a process in which~~
 232 ~~contractors agree to participate and homeowners select from a~~
 233 ~~list of participating contractors.~~ All hurricane mitigation
 234 performed under the program must be based upon the securing of
 235 all required local permits and inspections and must be performed
 236 by properly licensed contractors. ~~Hurricane mitigation~~
 237 ~~inspectors qualifying for the program may also participate as~~
 238 ~~mitigation contractors as long as the inspectors meet the~~
 239 ~~department's qualifications and certification requirements for~~
 240 ~~mitigation contractors.~~

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

248 (e) When recommended by a hurricane mitigation inspection,
 249 grants for eligible homes may be used for the following
 250 improvements:

251 1. Opening protection, including exterior doors, garage
 252 doors, windows, and skylights.

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

254 ~~3.~~ Reinforcing roof-to-wall connections.

255 ~~3.4.~~ Improving the strength of roof-deck attachments.

256 ~~4.5.~~ Secondary water resistance barrier for roof.

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

260 (g) The department may require that improvements be made
 261 to all openings, including exterior doors, ~~and~~ garage doors,
 262 windows, and skylights, as a condition of reimbursing a
 263 homeowner approved for a grant. The department may adopt, by
 264 rule, the maximum grant allowances for any improvement allowable
 265 under paragraph (e) or paragraph (f) ~~this paragraph.~~

266 ~~(g) Grants may be used on a previously inspected existing~~
 267 ~~structure or on a rebuild. A rebuild is defined as a site-built,~~
 268 ~~single-family dwelling under construction to replace a home that~~
 269 ~~was destroyed or significantly damaged by a hurricane and deemed~~
 270 ~~unlivable by a regulatory authority. The homeowner must be a~~
 271 ~~low-income homeowner as defined in paragraph (h), must have had~~
 272 ~~a homestead exemption for that home before the hurricane, and~~
 273 ~~must be intending to rebuild the home as that homeowner's~~
 274 ~~homestead.~~

275 (h) Low-income homeowners, as defined in s. 420.0004(11),

276 who otherwise meet the applicable requirements of this
277 subsection paragraphs ~~(a), (c), (e), and (g)~~ are eligible for a
278 grant of up to \$10,000 and are not required to provide a
279 matching amount to receive the grant. ~~The program may accept a~~
280 ~~certification directly from a low-income homeowner that the~~
281 ~~homeowner meets the requirements of s. 420.0004(11) if the~~
282 ~~homeowner provides such certification in a signed or~~
283 ~~electronically verified statement made under penalty of perjury.~~

284 (i)1. The department shall develop a process that ensures
285 the most efficient means to collect and verify inspection
286 applications and grant applications to determine eligibility.
287 The department ~~and~~ may direct hurricane mitigation inspectors to
288 collect and verify grant application information or use the
289 Internet or other electronic means to collect information and
290 determine eligibility.

291 2. The department shall prioritize the review and approval
292 of such inspection applications and grant applications in the
293 following order:

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

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

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

300 d. Fourth, applications from all other moderate-income

301 persons, as defined in s. 420.0004; and
302 e. Last, all other applications.
303 3. The department shall start accepting inspection
304 applications and grant applications no earlier than the
305 effective date of a legislative appropriation funding
306 inspections and grants, as follows:
307 a. Initially, from applicants prioritized under sub-
308 subparagraph 2.a.;
309 b. From applicants prioritized under sub-subparagraph
310 2.b., beginning 15 days after the program initially starts
311 accepting applications;
312 c. From applicants prioritized under sub-subparagraph
313 2.c., beginning 30 days after the program initially starts
314 accepting applications;
315 d. From applicants described in sub-subparagraph 2.d.,
316 beginning 45 days after the program initially starts accepting
317 applications; and
318 e. From all other applicants, beginning 60 days after the
319 program initially starts accepting applications.
320 4. The program may accept a certification directly from a
321 low-income homeowner or moderate-income homeowner who meets the
322 requirements of s. 420.0004(11) or (12), respectively, if the
323 homeowner provides such certification in a signed or
324 electronically verified statement made under penalty of perjury.
325 (j) A homeowner who receives a grant shall finalize

326 construction and request a final inspection, or request an
 327 extension for an additional 6 months, within 1 year after grant
 328 approval. If a homeowner fails to comply with this paragraph,
 329 his or her application is deemed abandoned and the grant money
 330 reverts to the department.

331 (3) REQUESTS FOR INFORMATION.—The department may request
 332 that an applicant provide additional information. An application
 333 is deemed withdrawn by the applicant if the department does not
 334 receive a response to its request for additional information
 335 within 60 days after the notification of any apparent error or
 336 omission.

337 (4) EDUCATION, CONSUMER AWARENESS, AND OUTREACH.—

338 (a) The department may undertake a statewide multimedia
 339 public outreach and advertising campaign to inform consumers of
 340 the availability and benefits of hurricane inspections and of
 341 the safety and financial benefits of residential hurricane
 342 damage mitigation. The department may seek out and use local,
 343 state, federal, and private funds to support the campaign.

344 (b) The program may develop brochures for distribution to
 345 Citizens Property Insurance Corporation and other licensed
 346 entities or nonprofits that work with the department to educate
 347 the public on the benefits of the program, ~~general contractors,~~
 348 ~~roofing contractors, and real estate brokers and sales~~
 349 ~~associates who are licensed under part I of chapter 475 which~~
 350 ~~provide information on the benefits to homeowners of residential~~

351 ~~hurricane damage mitigation.~~ Citizens Property Insurance
 352 Corporation must ~~is encouraged to~~ distribute the brochure to
 353 policyholders of the corporation each year the program is
 354 funded. ~~Contractors are encouraged to distribute the brochures~~
 355 ~~to homeowners at the first meeting with a homeowner who is~~
 356 ~~considering contracting for home or roof repair or contracting~~
 357 ~~for the construction of a new home. Real estate brokers and~~
 358 ~~sales associates are encouraged to distribute the brochure to~~
 359 ~~clients before the purchase of a home.~~ The brochures may be made
 360 available electronically.

361 (5)-(4) FUNDING.—The department may seek out and leverage
 362 local, state, federal, or private funds to enhance the financial
 363 resources of the program.

364 (6)-(5) RULES.—The department ~~of Financial Services~~ shall
 365 adopt rules pursuant to ss. 120.536(1) and 120.54 to govern the
 366 program; implement the provisions of this section; including
 367 rules governing hurricane mitigation inspections and grants,
 368 mitigation contractors, and training of inspectors and
 369 contractors; and carry out the duties of the department under
 370 this section.

371 (7)-(6) HURRICANE MITIGATION INSPECTOR LIST.—The department
 372 shall develop and maintain as a public record a current list of
 373 hurricane mitigation inspectors authorized to conduct hurricane
 374 mitigation inspections pursuant to this section.

375 (8)-(7) CONTRACT MANAGEMENT.—

376 (a) The department may contract with third parties for
 377 grants management, inspection services, contractor services for
 378 low-income homeowners, information technology, educational
 379 outreach, and auditing services. Such contracts are considered
 380 direct costs of the program and are not subject to
 381 administrative cost limits. The department shall contract with
 382 providers that have a demonstrated record of successful business
 383 operations in areas directly related to the services to be
 384 provided and shall ensure the highest accountability for use of
 385 state funds, consistent with this section.

386 (b) The department shall implement a quality assurance and
 387 reinspection program that determines whether initial inspections
 388 and home improvements are completed in a manner consistent with
 389 the intent of the program. The department may use valid random
 390 sampling in order to perform the quality assurance portion of
 391 the program.

392 (9)~~(8)~~ INTENT.—It is the intent of the Legislature that
 393 grants made to residential property owners under this section
 394 shall be considered disaster-relief assistance within the
 395 meaning of s. 139 of the Internal Revenue Code of 1986, as
 396 amended.

397 (10)~~(9)~~ REPORTS.—The department shall make an annual
 398 report on the activities of the program that shall account for
 399 the use of state funds and indicate the number of inspections
 400 requested, the number of inspections performed, the number of

401 grant applications received, the number and value of grants
402 approved, and the estimated average annual amount of insurance
403 premium discounts and total estimated annual amount of insurance
404 premium discounts homeowners received from insurers as a result
405 of mitigation funded through the program. The report must be
406 delivered to the President of the Senate and the Speaker of the
407 House of Representatives by February 1 of each year.

408 Section 2. (1) For the 2024-2025 fiscal year, the sum of
409 \$100 million in nonrecurring funds is appropriated from the
410 General Revenue Fund to the Department of Financial Services to
411 provide mitigation grants pursuant to s. 215.5586(2), Florida
412 Statutes, under the My Safe Florida Home Program. The department
413 may not continue to accept applications or to create a waiting
414 list in anticipation of additional funding unless the
415 Legislature provides express authority to implement such
416 actions.

417 (2) For the 2024-2025 fiscal year, the sum of \$7 million
418 in nonrecurring funds is appropriated from the General Revenue
419 Fund to the Department of Financial Services for administrative
420 costs related to implementation of mitigation grants pursuant to
421 s. 215.5586(2), Florida Statutes, under the My Safe Florida Home
422 Program.

423 Section 3. This act shall take effect July 1, 2024.