

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 39 considered withdrawn under certain circumstances;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 an effective date.

44

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

46

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

50 215.5586 My Safe Florida Home Program.—There is

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

75 (1) HURRICANE MITIGATION INSPECTIONS.—

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

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

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

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

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

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

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

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

100 c. The program's eligibility requirements for an

101 inspection have changed since the original application date, and
 102 the applicant reasonably believes the home is eligible under the
 103 new requirements.

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

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

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

123 1. A home inspection and report that summarizes the
 124 results and identifies recommended improvements a homeowner may
 125 take to mitigate hurricane damage.

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

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

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

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

138 a. A building inspector under s. 468.607;

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

141 c. A professional engineer under s. 471.015;

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

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

149 2. Use hurricane mitigation inspectors who also have
150 undergone drug testing and a background screening. The

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

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

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

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

174 (2) HURRICANE MITIGATION GRANTS.—Financial grants shall be
175 used by homeowners to make improvements recommended by an

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

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

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

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

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

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

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

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

200 (b)1. An application for a grant must contain a signed or

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

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

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

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

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

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

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

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

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

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

- 250 1. Opening protection, including exterior doors, garage

251 | doors, windows, and skylights.

252 | 2. ~~Exterior doors, including garage doors.~~

253 | ~~3.~~ Reinforcing roof-to-wall connections.

254 | ~~3.4.~~ Improving the strength of roof-deck attachments.

255 | ~~4.5.~~ Secondary water resistance barrier for roof.

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

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

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

274 | (h) Low-income homeowners, as defined in s. 420.0004(11),
275 | who otherwise meet the applicable requirements of this

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

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

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

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

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

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

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

301 e. Last, all other applications.

302 3. The department shall start accepting inspection
303 applications and grant applications no earlier than the
304 effective date of a legislative appropriation funding
305 inspections and grants, as follows:

306 a. Initially, from applicants prioritized under sub-
307 subparagraph 2.a.;

308 b. From applicants prioritized under sub-subparagraph
309 2.b., beginning 15 days after the program initially starts
310 accepting applications;

311 c. From applicants prioritized under sub-subparagraph
312 2.c., beginning 30 days after the program initially starts
313 accepting applications;

314 d. From applicants described in sub-subparagraph 2.d.,
315 beginning 45 days after the program initially starts accepting
316 applications; and

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

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

324 (j) A homeowner who receives a grant shall finalize
325 construction and request a final inspection, or request an

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

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

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

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

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

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

360 (5)-(4) FUNDING.—The department may seek out and leverage
 361 local, state, federal, or private funds to enhance the financial
 362 resources of the program.

363 (6)-(5) RULES.—The department ~~of Financial Services~~ shall
 364 adopt rules pursuant to ss. 120.536(1) and 120.54 to govern the
 365 program; implement the provisions of this section; including
 366 rules governing hurricane mitigation inspections and grants,
 367 mitigation contractors, and training of inspectors and
 368 contractors; and carry out the duties of the department under
 369 this section.

370 (7)-(6) HURRICANE MITIGATION INSPECTOR LIST.—The department
 371 shall develop and maintain as a public record a current list of
 372 hurricane mitigation inspectors authorized to conduct hurricane
 373 mitigation inspections pursuant to this section.

374 (8)-(7) CONTRACT MANAGEMENT.—

375 (a) The department may contract with third parties for

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

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

391 (9)~~(8)~~ INTENT.—It is the intent of the Legislature that
392 grants made to residential property owners under this section
393 shall be considered disaster-relief assistance within the
394 meaning of s. 139 of the Internal Revenue Code of 1986, as
395 amended.

396 (10)~~(9)~~ REPORTS.—The department shall make an annual
397 report on the activities of the program that shall account for
398 the use of state funds and indicate the number of inspections
399 requested, the number of inspections performed, the number of
400 grant applications received, the number and value of grants

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

407 Section 2. This act shall take effect July 1, 2024.