



450856

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/08/2024	.	
	.	
	.	
	.	

The Committee on Banking and Insurance (DiCeglie) recommended the following:

Senate Amendment

Delete lines 67 - 150
and insert:

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

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



450856

- 11 (d) "Condominium" has the same meaning as in s. 718.103.
- 12 (e) "Condominium property" means the lands, leaseholds, and
13 personal property that are subject to condominium ownership,
14 whether or not contiguous, and all improvements thereon and all
15 easements and rights appurtenant thereto intended for use in
16 connection with the condominium and that are located in the
17 service area.
- 18 (f) "Department" means the Department of Financial
19 Services.
- 20 (g) "Property" means association property and condominium
21 property, as applicable, located in the service area.
- 22 (h) "Rebuild" means property under construction to replace
23 a structure that was destroyed or significantly damaged by a
24 hurricane and deemed unlivable by a regulatory authority.
- 25 (i) "Service area" means the area of the state within 15
26 miles inward of a coastline as defined in s. 376.031.
- 27 (j) "Unit" has the same meaning as in s. 718.103.
- 28 (k) "Unit owner" has the same meaning as in s. 718.103.
- 29 (2) PARTICIPATION.—
- 30 (a) In order to apply for an inspection under subsection
31 (4) or a grant under subsection (5) for association property or
32 condominium property, an association must receive approval by a
33 majority vote of the board of administration or a majority vote
34 of the total voting interests of the association to participate
35 in the pilot program.
- 36 (b) In order to apply for a grant under subsection (5)
37 which improves one or more units within a condominium, an
38 association must receive both of the following:
- 39 1. Approval by a majority vote of the board of



450856

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

42 2. A unanimous vote of all unit owners within the structure
43 or building that is the subject of the mitigation grant.

44 (c) A unit owner may participate in the pilot program
45 through a mitigation grant awarded to the association but may
46 not participate individually in the pilot program.

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

63 (3) HURRICANE MITIGATION INSPECTORS.—

64 (a) Licensed inspectors must be used to provide inspections
65 of the property to determine the mitigation measures that are
66 needed, the insurance premium discounts that may be available to
67 the association, and the improvements to existing properties of
68 the association that are needed to reduce a property's



450856

69 vulnerability to hurricane damage.

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

75 1. Use hurricane mitigation inspectors who are licensed or
76 certified as:

77 a. A building inspector under s. 468.607;

78 b. A general, building, or residential contractor under s.
79 489.111;

80 c. A professional engineer under s. 471.015;

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

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

88 2. Use hurricane mitigation inspectors who have undergone
89 drug testing and a background screening. The department may
90 conduct criminal record checks of inspectors used by wind
91 certification entities. Inspectors must submit a full set of
92 fingerprints to the department or to a vendor, an entity, or an
93 agency authorized by s. 943.053(13). The department, vendor,
94 entity, or agency shall forward the fingerprints to the
95 Department of Law Enforcement for state processing, and the
96 Department of Law Enforcement shall forward the fingerprints to
97 the Federal Bureau of Investigation for national processing.



450856

98 Fees for state and federal fingerprint processing shall be paid
99 by the applicant. The state cost for fingerprint processing
100 shall be as provided in s. 943.053(3)(e). The results