

By Senator Bradley

6-00659-24

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1                   A bill to be entitled  
2           An act relating to flood disclosure in the sale of  
3           real property; creating s. 689.302, F.S.; requiring a  
4           seller of real property to disclose in writing certain  
5           flood information to a prospective purchaser before  
6           executing a contract for the sale of the property;  
7           defining the term "flooding"; providing an effective  
8           date.

9  
10 Be It Enacted by the Legislature of the State of Florida:

11  
12           Section 1. Section 689.302, Florida Statutes, is created to  
13 read:

14           689.302 Disclosure of flood risks to prospective  
15 purchaser.—A seller of real property, before executing a  
16 contract for sale, shall disclose in writing to a prospective  
17 purchaser all of the following information known to the seller:

18           (1) Whether the property has suffered damage from flooding  
19 and the number of times the property has been subject to  
20 flooding. For the purposes of this subsection, the term  
21 "flooding" means a general or temporary condition of partial or  
22 complete inundation of the property caused by any of the  
23 following:

24           (a) The overflow of inland or tidal waters.

25           (b) The unusual and rapid accumulation of runoff or surface  
26 waters from any established water source, such as a river,  
27 stream, or drainage ditch.

28           (c) Excessive rainfall.

29           (2) Whether the property owner has maintained flood

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30 insurance.

31 (3) Whether any portion of the property is located in a  
32 designated special flood hazard area or moderate risk flood  
33 hazard zone established by the Federal Emergency Management  
34 Agency.

35 (4) Whether the seller has ever received federal assistance  
36 for flood damage to the property, including, but not limited to,  
37 assistance from the Federal Emergency Management Agency or the  
38 United States Small Business Administration.

39 (5) Whether the seller has ever filed a claim with an  
40 insurance provider relating to flood damage on the property,  
41 including, but not limited to, a claim with the National Flood  
42 Insurance Program.

43 (6) Whether a Federal Emergency Management Agency elevation  
44 certificate is available for the property.

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