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1 A bill to be entitled
2 An act relating to the My Safe Florida Home Program;
3 amending s. 215.5586, F.S.; revising legislative
4 intent; specifying eligibility requirements for
5 hurricane mitigation inspections under the program;
6 specifying requirements for a hurricane mitigation
7 inspection application; authorizing an applicant to
8 submit a subsequent hurricane mitigation inspection
9 application under certain conditions; authorizing
10 applicants who meet specified requirements to receive
11 a home inspection under the program without being
12 eligible for, or applying for, a grant; specifying
13 eligibility requirements for hurricane mitigation
14 grants; revising application requirements for
15 hurricane mitigation grants; authorizing an applicant
16 to submit a subsequent hurricane mitigation grant
17 application under certain conditions; requiring that a
18 grant application include certain information;
19 deleting and revising provisions relating to the
20 selection of hurricane mitigation inspectors and
21 contractors; deleting the requirement that matching
22 fund grants be made available to certain entities;
23 revising improvements that grants for eligible homes
24 may be used for; deleting the authorization to use
25 grants on rebuilds; requiring the Department of
26 Financial Services to develop a process that ensures
27 the most efficient means to collect and verify
28 inspection applications; requiring the department to
29 prioritize the review and approval of inspection and

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30 grant applications in a specified order; requiring the
31 department to start accepting inspection and grant
32 applications as specified in the act; requiring
33 homeowners to finalize construction and make certain
34 requests within a specified time; providing that an
35 application is deemed abandoned under certain
36 circumstances; authorizing the department to request
37 certain information; providing that an application is
38 considered withdrawn under certain circumstances;
39 revising provisions regarding the development of
40 brochures; requiring the Citizens Property Insurance
41 Corporation to distribute such brochures to specified
42 persons; providing appropriations; providing an
43 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 established
51 within the Department of Financial Services the My Safe Florida
52 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

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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 eligible fund hurricane
64 mitigation projects on those homes 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 following requirements provided
74 in this section.÷

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

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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 application
93 has been denied or withdrawn because of errors or omissions in
94 the application;

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

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

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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 results
124 and identifies recommended improvements a homeowner may take to
125 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 wind
133 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

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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

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175 used by homeowners ~~to encourage single family, site built,~~
176 ~~owner occupied, residential property owners~~ to make improvements
177 recommended by an inspection which increase resistance retrofit
178 ~~their properties to make them less vulnerable~~ to hurricane
179 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 mitigation
190 inspection as provided in subsection (1).

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

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

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

199 (b)1. An application for a grant must contain a signed or
200 electronically verified statement made under penalty of perjury
201 that the applicant has submitted only one grant a single
202 application or that the application is allowed under
203 subparagraph 2., and the application must have ~~attached~~

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204 documents attached demonstrating that the applicant meets the
205 requirements of ~~this~~ paragraph (a).

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

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

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

214 or

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

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

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

229 (d)-(e) The program shall create a process in which
230 contractors agree to participate and homeowners select from a
231 list of participating contractors. All hurricane mitigation
232 performed under the program must be based upon the securing of

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233 all required local permits and inspections and must be performed
234 by properly licensed contractors. ~~Hurricane mitigation~~
235 ~~inspectors qualifying for the program may also participate as~~
236 ~~mitigation contractors as long as the inspectors meet the~~
237 ~~department's qualifications and certification requirements for~~
238 ~~mitigation contractors.~~

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

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

249 1. Opening protection, including exterior doors, garage
250 doors, windows, and skylights.

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

252 3. Reinforcing roof-to-wall connections.

253 ~~3.4.~~ Improving the strength of roof-deck attachments.

254 ~~4.5.~~ Secondary water resistance barrier for roof.

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

258 (g) The department may require that improvements be made to
259 all openings, including exterior doors, ~~and~~ garage doors,
260 windows, and skylights, as a condition of reimbursing a
261 homeowner approved for a grant. The department may adopt, by

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262 rule, the maximum grant allowances for any improvement allowable
263 under paragraph (e) or paragraph (f) ~~(e) or this paragraph.~~

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

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

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

289 2. The department shall prioritize the review and approval
290 of such inspection applications and grant applications in the

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291 following order:

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

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

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

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

300 e. Last, all other applications.

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

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

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

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

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

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

318 4. The program may accept a certification directly from a
319 low-income homeowner or moderate-income homeowner who meets the

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320 requirements of s. 420.0004(11) or (12), respectively, if the
321 homeowner provides such certification in a signed or
322 electronically verified statement made under penalty of perjury.

323 (j) A homeowner who receives a grant shall finalize
324 construction and request a final inspection, or request an
325 extension for an additional 6 months, within 1 year after grant
326 approval. If a homeowner fails to comply with this paragraph,
327 his or her application is deemed abandoned and the grant money
328 reverts to the department.

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

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

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

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

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

359 (5)~~(4)~~ FUNDING.—The department may seek out and leverage
360 local, state, federal, or private funds to enhance the financial
361 resources of the program.

362 (6)~~(5)~~ RULES.—The department ~~of Financial Services~~ shall
363 adopt rules pursuant to ss. 120.536(1) and 120.54 to govern the
364 program; implement the provisions of this section; including
365 rules governing hurricane mitigation inspections and grants,
366 mitigation contractors, and training of inspectors and
367 contractors; and carry out the duties of the department under
368 this section.

369 (7)~~(6)~~ HURRICANE MITIGATION INSPECTOR LIST.—The department
370 shall develop and maintain as a public record a current list of
371 hurricane mitigation inspectors authorized to conduct hurricane
372 mitigation inspections pursuant to this section.

373 (8)~~(7)~~ CONTRACT MANAGEMENT.—

374 (a) The department may contract with third parties for
375 grants management, inspection services, contractor services for
376 low-income homeowners, information technology, educational
377 outreach, and auditing services. Such contracts are considered

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378 direct costs of the program and are not subject to
379 administrative cost limits. The department shall contract with
380 providers that have a demonstrated record of successful business
381 operations in areas directly related to the services to be
382 provided and shall ensure the highest accountability for use of
383 state funds, consistent with this section.

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

390 (9)~~(8)~~ INTENT.—It is the intent of the Legislature that
391 grants made to residential property owners under this section
392 shall be considered disaster-relief assistance within the
393 meaning of s. 139 of the Internal Revenue Code of 1986, as
394 amended.

395 (10)~~(9)~~ REPORTS.—The department shall make an annual report
396 on the activities of the program that shall account for the use
397 of state funds and indicate the number of inspections requested,
398 the number of inspections performed, the number of grant
399 applications received, the number and value of grants approved,
400 and the estimated average annual amount of insurance premium
401 discounts and total estimated annual amount of insurance premium
402 discounts homeowners received from insurers as a result of
403 mitigation funded through the program. The report must be
404 delivered to the President of the Senate and the Speaker of the
405 House of Representatives by February 1 of each year.

406 Section 2. For the 2024-2025 fiscal year, the sum of \$200

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407 million in nonrecurring funds is appropriated from the General
408 Revenue Fund to the Department of Financial Services for the My
409 Safe Florida Home Program. The funds shall be used for hurricane
410 mitigation grants, hurricane mitigation inspections, and
411 outreach and administrative costs. The department may not
412 continue to accept applications or create a waiting list in
413 anticipation of additional funding unless the Legislature
414 expressly provides authority to implement such actions.

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