

By the Committees on Fiscal Policy; and Community Affairs; and  
Senator Martin

594-02696-24

2024770c2

1                                   A bill to be entitled  
2       An act relating to improvements to real property;  
3       amending s. 163.08, F.S.; deleting provisions relating  
4       to legislative findings and intent; defining terms and  
5       revising definitions; creating ss. 163.081 and  
6       163.082, F.S.; allowing a program administrator to  
7       offer a program for financing qualifying improvements  
8       for residential or commercial property when authorized  
9       by a county or municipality; requiring an authorized  
10      program administrator that administers an authorized  
11      program to meet certain requirements; authorizing a  
12      county or municipality to enter into an interlocal  
13      agreement to implement a program; authorizing a  
14      program administrator to contract with third-party  
15      administrators to implement the program; authorizing a  
16      program administrator to levy non-ad valorem  
17      assessments for a certain purpose; providing for  
18      compensation for tax collectors for actual costs  
19      incurred to collect non-ad valorem assessments;  
20      authorizing a program administrator to incur debt for  
21      the purpose of providing financing for qualifying  
22      improvements; authorizing the owner of the residential  
23      property or commercial property or certain  
24      nongovernmental lessees to apply to the program  
25      administrator to finance a qualifying improvement;  
26      requiring the program administrator to make certain  
27      findings before entering into a financing agreement;  
28      requiring the program administrator to ascertain  
29      certain financial information from the property owner

594-02696-24

2024770c2

30 or nongovernmental lessee before entering into a  
31 financing agreement; requiring certain documentation;  
32 requiring an advisement and notification for certain  
33 qualifying improvements; requiring certain financing  
34 agreement and contract provisions for change orders  
35 under certain circumstances; prohibiting a financing  
36 agreement from being entered into under certain  
37 circumstances; requiring the program administrator to  
38 provide certain information before a financing  
39 agreement may be approved; requiring an oral, recorded  
40 telephone call with the residential property owner to  
41 confirm findings and disclosures before the approval  
42 of a financing agreement; requiring the residential  
43 property owner to provide written notice to the holder  
44 or loan servicer of his or her intent to enter into a  
45 financing agreement as well as other financial  
46 information; requiring that proof of such notice be  
47 provided to the program administrator; providing that  
48 a certain acceleration provision in an agreement  
49 between the residential property owner and mortgagor  
50 or lienholder is unenforceable; providing that the  
51 lienholder or loan servicer retains certain authority;  
52 requiring the program administrator to receive the  
53 written consent of certain lienholders on commercial  
54 property; authorizing a residential property owner,  
55 under certain circumstances and within a certain  
56 timeframe, to cancel a financing agreement without  
57 financial penalty; requiring recording of the  
58 financing agreement in a specified timeframe; creating

594-02696-24

2024770c2

59 the seller's disclosure statements for properties  
60 offered for sale which have assessments on them for  
61 qualifying improvements; requiring the program  
62 administrator to confirm that certain conditions are  
63 met before disbursing final funds to a qualifying  
64 improvement contractor for qualifying improvements on  
65 residential property; requiring a program  
66 administrator to submit a certain certificate to a  
67 county or municipality upon final disbursement and  
68 completion of qualifying improvements on commercial  
69 property; providing construction; creating s. 163.083,  
70 F.S.; requiring a county or municipality to establish  
71 or approve a process for the registration of a  
72 qualifying improvement contractor to install  
73 qualifying improvements; requiring certain conditions  
74 for a qualifying improvement contractor to participate  
75 in a program; prohibiting a third-party administrator  
76 from registering as a qualifying improvement  
77 contractor; requiring the program administrator to  
78 monitor qualifying improvement contractors, enforce  
79 certain penalties for a finding of violation, and post  
80 certain information online; creating s. 163.084, F.S.;  
81 authorizing the program administrator to contract with  
82 entities to administer an authorized program;  
83 providing certain requirements for a third-party  
84 administrator; prohibiting a program administrator  
85 from contracting with a third-party administrator  
86 under certain circumstances; requiring the program  
87 administrator to include in its contract with the

594-02696-24

2024770c2

88 third-party administrator the right to perform annual  
89 reviews of the administrator; authorizing the program  
90 administrator to take certain actions if the program  
91 administrator finds that the third-party administrator  
92 has committed a violation of its contract; authorizing  
93 a program administrator to terminate an agreement with  
94 a third-party administrator under certain  
95 circumstances; providing for the continuation of  
96 certain financing agreements after the termination or  
97 suspension of the third-party administrator; creating  
98 s. 163.085, F.S.; requiring that, in communicating  
99 with the property owner or nongovernmental lessee, the  
100 program administrator, qualifying improvement  
101 contractor, or third-party administrator comply with  
102 certain requirements; prohibiting the program  
103 administrator or third-party administrator from  
104 disclosing certain financing information to a  
105 qualifying improvement contractor; prohibiting a  
106 qualifying improvement contractor from making certain  
107 advertisements or solicitations; providing exceptions;  
108 prohibiting a program administrator or third-party  
109 administrator from providing certain payments, fees,  
110 or kickbacks to a qualifying improvement contractor;  
111 prohibiting a program administrator or third-party  
112 administrator to reimbursing a qualifying improvement  
113 contractor for certain expenses; prohibiting a  
114 qualifying improvement contractor from providing  
115 different prices for a qualifying improvement;  
116 requiring a contract between a property owner or

594-02696-24

2024770c2

117 nongovernmental lessee and a qualifying improvement  
118 contractor to include certain provisions; prohibiting  
119 a program administrator, qualifying improvement  
120 contractor, or third-party administrator from  
121 providing any cash payment or anything of material  
122 value to a property owner or nongovernmental lessee  
123 which is explicitly conditioned on a financing  
124 agreement; providing exceptions; creating s. 163.086,  
125 F.S.; prohibiting a recorded financing agreement from  
126 being removed from attachment to a property under  
127 certain circumstances; providing for the  
128 unenforceability of a financing agreement under  
129 certain circumstances; providing provisions for when a  
130 qualifying improvement contractor initiates work on an  
131 unenforceable contract; providing that a qualifying  
132 improvement contractor may retrieve chattel or  
133 fixtures delivered pursuant to an unenforceable  
134 contract if certain conditions are met; providing that  
135 an unenforceable contract will remain unenforceable  
136 under certain circumstances; creating s. 163.087,  
137 F.S.; requiring a program administrator authorized to  
138 administer a program for financing a qualifying  
139 improvement to post on its website an annual report;  
140 specifying requirements for the report; requiring the  
141 Auditor General to conduct an operational audit of  
142 each authorized program; providing an effective date.

143

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

145

594-02696-24

2024770c2

146 Section 1. Section 163.08, Florida Statutes, is amended to  
147 read:

148 (Substantial rewording of section. See  
149 s. 163.08, F.S., for present text.)

150 163.08 Definitions.—As used in ss. 163.081-163.087, the  
151 term:

152 (1) "Commercial property" means real property other than  
153 residential property. The term includes, but is not limited to,  
154 a property zoned multifamily residential which is composed of  
155 five or more dwelling units; government commercial property; and  
156 real property used for commercial, industrial, or agricultural  
157 purposes.

158 (2) "Government commercial property" means real property  
159 owned by a local government and leased to a nongovernmental  
160 lessee for commercial use. The term does not include residential  
161 property.

162 (3) "Nongovernmental lessee" means a person or an entity  
163 other than a local government which leases government commercial  
164 property.

165 (4) "Program administrator" means a county, a municipality,  
166 a dependent special district as defined in s. 189.012, or a  
167 separate legal entity created pursuant to s. 163.01(7).

168 (5) "Property owner" means the owner or owners of record of  
169 real property. The term includes real property held in trust for  
170 the benefit of one or more individuals, in which case the  
171 individual or individuals may be considered as the property  
172 owner or owners, provided that the trustee provides written  
173 consent. The term does not include persons renting, using,  
174 living, or otherwise occupying real property, except for a

594-02696-24

2024770c2

175 nongovernmental lessee.

176 (6) "Qualifying improvement" means the following permanent  
177 improvements located on real property within the jurisdiction of  
178 an authorized financing program:

179 (a) For improvements on residential property:

180 1. Repairing, replacing, or improving a central sewerage  
181 system, converting an onsite sewage treatment and disposal  
182 system to a central sewerage system, or, if no central sewerage  
183 system is available, removing, repairing, replacing, or  
184 improving an onsite sewage treatment and disposal system to an  
185 advanced system or technology.

186 2. Repairing, replacing, or improving a roof, including  
187 improvements that strengthen the roof deck attachment; create a  
188 secondary water barrier to prevent water intrusion; install  
189 wind-resistant shingles or gable-end bracing; or reinforce roof-  
190 to-wall connections.

191 3. Providing flood and water damage mitigation and  
192 resiliency improvements, prioritizing repairs, replacement, or  
193 improvements that qualify for reductions in flood insurance  
194 premiums, including raising a structure above the base flood  
195 elevation to reduce flood damage; constructing a flood diversion  
196 apparatus, drainage gate, or seawall improvement, including  
197 seawall repairs and seawall replacements; purchasing flood-  
198 damage-resistant building materials; or making electrical,  
199 mechanical, plumbing, or other system improvements that reduce  
200 flood damage.

201 4. Replacing windows or doors, including garage doors, with  
202 energy-efficient, impact-resistant, wind-resistant, or hurricane  
203 windows or doors or installing storm shutters.

594-02696-24

2024770c2

204 5. Installing energy-efficient heating, cooling, or  
205 ventilation systems.

206 6. Replacing or installing insulation.

207 7. Replacing or installing energy-efficient water heaters.

208 8. Installing and affixing a permanent generator.

209 9. Providing a renewable energy improvement, including the  
210 installation of any system in which the electrical, mechanical,  
211 or thermal energy is produced from a method that uses solar,  
212 geothermal, bioenergy, wind, or hydrogen.

213 (b) For installing or constructing improvements on  
214 commercial property:

215 1. Waste system improvements, which consists of repairing,  
216 replacing, improving, or constructing a central sewerage system,  
217 converting an onsite sewage treatment and disposal system to a  
218 central sewerage system, or, if no central sewerage system is  
219 available, removing, repairing, replacing, or improving an  
220 onsite sewage treatment and disposal system to an advanced  
221 system or technology.

222 2. Making resiliency improvements, which includes but is  
223 not limited to:

224 a. Repairing, replacing, improving, or constructing a roof,  
225 including improvements that strengthen the roof deck attachment;

226 b. Creating a secondary water barrier to prevent water  
227 intrusion;

228 c. Installing wind-resistant shingles or gable-end bracing;

229 d. Reinforcing roof-to-wall connections; or

230 e. Providing flood and water damage mitigation and  
231 resiliency improvements, prioritizing repairs, replacement, or  
232 improvements that qualify for reductions in flood insurance



594-02696-24

2024770c2

233 premiums, including raising a structure above the base flood  
234 elevation to reduce flood damage; creating or improving  
235 stormwater and flood resiliency, including flood diversion  
236 apparatus, drainage gates, or shoreline improvements; purchasing  
237 flood-damage-resistant building materials; or making any other  
238 improvements necessary to achieve a sustainable building rating  
239 or compliance with a national model resiliency standard and any  
240 improvements to a structure to achieve wind or flood insurance  
241 rate reductions, including building elevation.

242 3. Energy conservation and efficiency improvements, which  
243 are measures to reduce consumption through efficient use or  
244 conservation of electricity, natural gas, propane, or other  
245 forms of energy, including but not limited to, air sealing;  
246 installation of insulation; installation of energy-efficient  
247 heating, cooling, or ventilation systems; building modification  
248 to increase the use of daylight; window replacement; windows;  
249 energy controls or energy recovery systems; installation of  
250 electric vehicle charging equipment; installation of efficient  
251 lighting equipment; or any other improvements necessary to  
252 achieve a sustainable building rating or compliance with a  
253 national model green building code.

254 4. Renewable energy improvements, including the  
255 installation of any system in which the electrical, mechanical,  
256 or thermal energy is produced from a method that uses solar,  
257 geothermal, bioenergy, wind, or hydrogen.

258 5. Water conservation efficiency improvements, which are  
259 measures to reduce consumption through efficient use or  
260 conservation of water.

261 (7) "Qualifying improvement contractor" means a licensed or

594-02696-24

2024770c2

262 registered contractor who has been registered to participate by  
263 a program administrator pursuant to s. 163.083 to install or  
264 otherwise perform work to make qualifying improvements on  
265 residential property financed pursuant to a program authorized  
266 under s. 163.081.

267 (8) "Residential property" means real property zoned as  
268 residential or multifamily residential and composed of four or  
269 fewer dwelling units.

270 (9) "Third-party administrator" means an entity under  
271 contract with a program administrator pursuant to s. 163.084 to  
272 administer a program authorized by a county or municipality  
273 pursuant to s. 163.081 or s. 163.082 on behalf of and at the  
274 discretion of the program administrator.

275 Section 2. Section 163.081, Florida Statutes, is created to  
276 read:

277 163.081 Financing qualifying improvements to residential  
278 property.—

279 (1) RESIDENTIAL PROPERTY PROGRAM AUTHORIZATION.—

280 (a) A program administrator may only offer a program for  
281 financing qualifying improvements to residential property within  
282 the jurisdiction of a county or municipality if the county or  
283 municipality has authorized by ordinance or resolution the  
284 program administrator to administer the program for financing  
285 qualifying improvements to residential property. The authorized  
286 program must, at a minimum, meet the requirements of this  
287 section.

288 (b) Pursuant to this section or as otherwise provided by  
289 law or pursuant to a county's or municipality's home rule power,  
290 a county or municipality may enter into an interlocal agreement

594-02696-24

2024770c2

291 providing for a partnership between one or more local  
292 governments for the purpose of facilitating a program to finance  
293 qualifying improvements to residential property located within  
294 the jurisdiction of the local governments that are party to the  
295 agreement.

296 (c) An authorized program administrator may contract with  
297 one or more third-party administrators to implement the program  
298 as provided in s. 163.084.

299 (d) An authorized program administrator may levy non-ad  
300 valorem assessments to facilitate repayment of financing  
301 qualifying improvements. Costs incurred by the program  
302 administrator for such purpose may be collected as a non-ad  
303 valorem assessment. A non-ad valorem assessment shall be  
304 collected pursuant to s. 197.3632 and, notwithstanding s.  
305 197.3632(8)(a), shall not be subject to discount for early  
306 payment. However, the notice and adoption requirements of s.  
307 197.3632(4) do not apply if this section is used and complied  
308 with, and the intent resolution, publication of notice, and  
309 mailed notices to the property appraiser, tax collector, and  
310 Department of Revenue required by s. 197.3632(3)(a) may be  
311 provided on or before August 15 of each year in conjunction with  
312 any non-ad valorem assessment authorized by this section, if the  
313 property appraiser, tax collector, and program administrator  
314 agree. The program administrator shall only compensate the tax  
315 collector for the actual cost of collecting non-ad valorem  
316 assessments, not to exceed 2 percent of the amount collected and  
317 remitted.

318 (e) A program administrator may incur debt for the purpose  
319 of providing financing for qualifying improvements, which debt

594-02696-24

2024770c2

320 is payable from revenues received from the improved property or  
321 any other available revenue source authorized by law.

322 (2) APPLICATION.—The owner of record of the residential  
323 property within the jurisdiction of an authorized program may  
324 apply to the authorized program administrator to finance a  
325 qualifying improvement. The program administrator may only enter  
326 into a financing agreement with the property owner.

327 (3) FINANCING AGREEMENTS.—

328 (a) Before entering into a financing agreement, the program  
329 administrator must make each of the following findings based on  
330 a review of public records derived from a commercially accepted  
331 source and the property owner's statements, records, and credit  
332 reports:

333 1. There are sufficient resources to complete the project.

334 2. The total amount of any non-ad valorem assessment for a  
335 residential property under this section does not exceed 20  
336 percent of the just value of the property as determined by the  
337 property appraiser. The total amount may exceed this limitation  
338 upon written consent of the holders or loan servicers of any  
339 mortgage encumbering or otherwise secured by the residential  
340 property.

341 3. The combined mortgage-related debt and total amount of  
342 any non-ad valorem assessments under the program for the  
343 residential property does not exceed 97 percent of the just  
344 value of the property as determined by the property appraiser.

345 4. The financing agreement does not utilize a negative  
346 amortization schedule, a balloon payment, or prepayment fees or  
347 finances other than nominal administrative costs. Capitalized  
348 interest included in the original balance of the assessment

594-02696-24

2024770c2

349 financing agreement does not constitute negative amortization.

350 5. All property taxes and any other assessments, including  
351 non-ad valorem assessments, levied on the same bill as the  
352 property taxes are current and have not been delinquent for the  
353 preceding 3 years, or the property owner's period of ownership,  
354 whichever is less.

355 6. There are no outstanding fines or fees related to zoning  
356 or code enforcement violations issued by a county or  
357 municipality, unless the qualifying improvement will remedy the  
358 zoning or code violation.

359 7. There are no involuntary liens, including, but not  
360 limited to, construction liens on the residential property.

361 8. No notices of default or other evidence of property-  
362 based debt delinquency have been recorded and not released  
363 during the preceding 3 years or the property owner's period of  
364 ownership, whichever is less.

365 9. The property owner is current on all mortgage debt on  
366 the residential property.

367 10. The property owner has not been subject to a bankruptcy  
368 proceeding within the last 5 years unless it was discharged or  
369 dismissed more than 2 years before the date on which the  
370 property owner applied for financing.

371 11. The residential property is not subject to an existing  
372 home equity conversion mortgage or reverse mortgage product.

373 12. The term of the financing agreement does not exceed the  
374 weighted average useful life of the qualified improvements to  
375 which the greatest portion of funds disbursed under the  
376 assessment contract is attributable, not to exceed 20 years. The  
377 program administrator shall determine the useful life of a

594-02696-24

2024770c2

378 qualifying improvement using established standards, including  
379 certification criteria from government agencies or nationally  
380 recognized standards and testing organizations.

381 13. The total estimated annual payment amount for all  
382 financing agreements entered into under this section on the  
383 residential property does not exceed 10 percent of the property  
384 owner's annual household income. Income must be confirmed using  
385 reasonable evidence and not solely by a property owner's  
386 statement.

387 14. If the qualifying improvement is for the conversion of  
388 an onsite sewage treatment and disposal system to a central  
389 sewerage system, the property owner has utilized all available  
390 local government funding for such conversions and is unable to  
391 obtain financing for the improvement on more favorable terms  
392 through a local government program designed to support such  
393 conversions.

394 (b) Before entering into a financing agreement, the program  
395 administrator must determine if there are any current financing  
396 agreements on the residential property and if the property owner  
397 has obtained or sought to obtain additional qualifying  
398 improvements on the same property which have not yet been  
399 recorded. The existence of a prior qualifying improvement non-ad  
400 valorem assessment or a prior financing agreement is not  
401 evidence that the financing agreement under consideration is  
402 affordable or meets other program requirements.

403 (c) Findings satisfying paragraphs (a) and (b) must be  
404 documented, including supporting evidence relied upon, and  
405 provided to the property owner prior to a financing agreement  
406 being approved and recorded. The program administrator must

594-02696-24

2024770c2

407 retain the documentation for the duration of the financing  
408 agreement.

409 (d) If the qualifying improvement is estimated to cost  
410 \$10,000 or more, before entering into a financing agreement the  
411 program administrator must advise the property owner in writing  
412 that the best practice is to obtain estimates from more than one  
413 unaffiliated, registered qualifying improvement contractors for  
414 the qualifying improvement and notify the property owner in  
415 writing of the advertising and solicitation requirements of s.  
416 163.085.

417 (e) A property owner and the program administrator may  
418 agree to include in the financing agreement provisions for  
419 allowing change orders necessary to complete the qualifying  
420 improvement. Any financing agreement or contract for qualifying  
421 improvements which includes such provisions must meet the  
422 requirements of this paragraph. If a proposed change order on a  
423 qualifying improvement will increase the original cost of the  
424 qualifying improvement by 20 percent or more or will expand the  
425 scope of the qualifying improvement by more than 20 percent,  
426 before the change order may be executed which would result in an  
427 increase in the amount financed through the program  
428 administrator for the qualifying improvement, the program  
429 administrator must notify the property owner, provide an updated  
430 written disclosure form as described in subsection (4) to the  
431 property owner, and obtain written approval of the change from  
432 the property owner.

433 (f) A financing agreement may not be entered into if the  
434 total cost of the qualifying improvement, including program fees  
435 and interest, is less than \$2,500.

594-02696-24

2024770c2

436 (g) A financing agreement may not be entered into for  
437 qualifying improvements in buildings or facilities under new  
438 construction or construction for which a certificate of  
439 occupancy or similar evidence of substantial completion of new  
440 construction or improvement has not been issued.

441 (4) DISCLOSURES.—

442 (a) In addition to the requirements in subsection (3), a  
443 financing agreement may not be approved unless the program  
444 administrator first provides, including via electronic means, a  
445 written financing estimate and disclosure to the property owner  
446 which includes all of the following, each of which must be  
447 individually acknowledged in writing by the property owner:

448 1. The estimated total amount to be financed, including the  
449 total and itemized cost of the qualifying improvement, program  
450 fees, and capitalized interest, if any;

451 2. The estimated annual non-ad valorem assessment;

452 3. The term of the financing agreement and the schedule for  
453 the non-ad valorem assessments;

454 4. The interest charged and estimated annual percentage  
455 rate;

456 5. A description of the qualifying improvement;

457 6. The total estimated annual costs that will be required  
458 to be paid under the assessment contract, including program  
459 fees;

460 7. The total estimated average monthly equivalent amount of  
461 funds that would need to be saved in order to pay the annual  
462 costs of the non-ad valorem assessment, including program fees;

463 8. The estimated due date of the first payment that  
464 includes the non-ad valorem assessment;



594-02696-24

2024770c2

465 9. A disclosure that the financing agreement may be  
466  canceled within 3 business days after signing the financing  
467  agreement without any financial penalty for doing so;

468 10. A disclosure that the property owner may repay any  
469  remaining amount owed, at any time, without penalty or  
470  imposition of additional prepayment fees or fines other than  
471  nominal administrative costs;

472 11. A disclosure that if the property owner sells or  
473  refinances the residential property, the property owner may be  
474  required by a mortgage lender to pay off the full amount owed  
475  under each financing agreement under this section;

476 12. A disclosure that the assessment will be collected  
477  along with the property owner's property taxes, and will result  
478  in a lien on the property from the date the financing agreement  
479  is recorded;

480 13. A disclosure that potential utility or insurance  
481  savings are not guaranteed, and will not reduce the assessment  
482  amount; and

483 14. A disclosure that failure to pay the assessment may  
484  result in penalties, fees, including attorney fees, court costs,  
485  and the issuance of a tax certificate that could result in the  
486  property owner losing the property and a judgment against the  
487  property owner, and may affect the property owner's credit  
488  rating.

489 (b) Prior to the financing agreement being approved, the  
490  program administrator must conduct an oral, recorded telephone  
491  call with the property owner during which the program  
492  administrator must confirm each finding or disclosure required  
493  in subsection (3) and this section.

594-02696-24

2024770c2

494 (5) NOTICE TO LIENHOLDERS AND SERVICERS.—At least 5  
495 business days before entering into a financing agreement, the  
496 property owner must provide to the holders or loan servicers of  
497 any existing mortgages encumbering or otherwise secured by the  
498 residential property a written notice of the owner's intent to  
499 enter into a financing agreement together with the maximum  
500 amount to be financed, including the amount of any fees and  
501 interest, and the maximum annual assessment necessary to repay  
502 the total. A verified copy or other proof of such notice must be  
503 provided to the program administrator. A provision in any  
504 agreement between a mortgagor or other lienholder and a property  
505 owner, or otherwise now or hereafter binding upon a property  
506 owner, which allows for acceleration of payment of the mortgage,  
507 note, or lien or other unilateral modification solely as a  
508 result of entering into a financing agreement as provided for in  
509 this section is unenforceable. This subsection does not limit  
510 the authority of the holder or loan servicer to increase the  
511 required monthly escrow by an amount necessary to pay the annual  
512 assessment.

513 (6) CANCELLATION.—A property owner may cancel a financing  
514 agreement on a form established by the program administrator  
515 within 3 business days after signing the financing agreement  
516 without any financial penalty for doing so.

517 (7) RECORDING.—Any financing agreement approved and entered  
518 into pursuant to this section, or a summary memorandum of such  
519 agreement, shall be submitted for recording in the public  
520 records of the county within which the residential property is  
521 located by the program administrator within 10 business days  
522 after execution of the agreement and the 3-day cancelation

594-02696-24

2024770c2

523 period. The recorded agreement must provide constructive notice  
524 that the non-ad valorem assessment to be levied on the property  
525 constitutes a lien of equal dignity to county taxes and  
526 assessments from the date of recordation. A notice of lien for  
527 the full amount of the financing may be recorded in the public  
528 records of the county where the property is located. Such lien  
529 is not enforceable in a manner that results in the acceleration  
530 of the remaining nondelinquent unpaid balance under the  
531 assessment financing agreement.

532 (8) SALE OF RESIDENTIAL PROPERTY.—At or before the time a  
533 seller executes a contract for the sale of any residential  
534 property for which a non-ad valorem assessment has been levied  
535 under this section and has an unpaid balance due, the seller  
536 shall give the prospective purchaser a written disclosure  
537 statement in the following form, which must be set forth in the  
538 contract or in a separate writing:

539  
540 QUALIFYING IMPROVEMENTS.—The property being purchased  
541 is subject to an assessment on the property pursuant  
542 to s. 163.081, Florida Statutes. The assessment is for  
543 a qualifying improvement to the property and is not  
544 based on the value of the property. You are encouraged  
545 to contact the property appraiser's office to learn  
546 more about this and other assessments that may be  
547 provided by law.

548  
549 (9) DISBURSEMENTS.—Before disbursing final funds to a  
550 qualifying improvement contractor for a qualifying improvement  
551 on residential property, the program administrator shall confirm

594-02696-24

2024770c2

552 that the applicable work or service has been completed or, as  
553 applicable, that the final permit for the qualifying improvement  
554 has been closed with all permit requirements satisfied or a  
555 certificate of occupancy or similar evidence of substantial  
556 completion of construction or improvement has been issued.

557 (10) CONSTRUCTION.—This section is additional and  
558 supplemental to county and municipal home rule authority and not  
559 in derogation of such authority or a limitation upon such  
560 authority.

561 Section 3. Section 163.082, Florida Statutes, is created to  
562 read:

563 163.082 Financing qualifying improvements to commercial  
564 property.—

565 (1) COMMERCIAL PROPERTY PROGRAM AUTHORIZATION.—

566 (a) A program administrator may only offer a program for  
567 financing qualifying improvements to commercial property within  
568 the jurisdiction of a county or municipality if the county or  
569 municipality has authorized by ordinance or resolution the  
570 program administrator to administer the program for financing  
571 qualifying improvements to commercial property. The authorized  
572 program must, at a minimum, meet the requirements of this  
573 section.

574 (b) Pursuant to this section or as otherwise provided by  
575 law or pursuant to a county's or municipality's home rule power,  
576 a county or municipality may enter into an interlocal agreement  
577 providing for a partnership between one or more local  
578 governments for the purpose of facilitating a program for  
579 financing qualifying improvements to commercial property located  
580 within the jurisdiction of the local governments that are party

594-02696-24

2024770c2

581 to the agreement.

582 (c) A program administrator may contract with one or more  
583 third-party administrators to implement the program as provided  
584 in s. 163.084.

585 (d) An authorized program administrator may levy non-ad  
586 valorem assessments to facilitate repayment of financing or  
587 refinancing qualifying improvements. Costs incurred by the  
588 program administrator for such purpose may be collected as a  
589 non-ad valorem assessment. A non-ad valorem assessment shall be  
590 collected pursuant to s. 197.3632 and, notwithstanding s.  
591 197.3632(8)(a), is not subject to discount for early payment.  
592 However, the notice and adoption requirements of s. 197.3632(4)  
593 do not apply if this section is used and complied with, and the  
594 intent resolution, publication of notice, and mailed notices to  
595 the property appraiser, tax collector, and Department of Revenue  
596 required by s. 197.3632(3)(a) may be provided on or before  
597 August 15 of each year in conjunction with any non-ad valorem  
598 assessment authorized by this section, if the property  
599 appraiser, tax collector, and program administrator agree. The  
600 program administrator shall only compensate the tax collector  
601 for the actual cost of collecting non-ad valorem assessments,  
602 not to exceed 2 percent of the amount collected and remitted.

603 (e) A program administrator may incur debt for the purpose  
604 of providing financing for qualifying improvements, which debt  
605 is payable from revenues received from the improved property or  
606 any other available revenue source authorized by law.

607 (2) APPLICATION.—The owner of record of the commercial  
608 property within the jurisdiction of the authorized program may  
609 apply to the program administrator to finance a qualifying

594-02696-24

2024770c2

610 improvement and enter into a financing agreement with the  
611 program administrator to make such improvement. The program  
612 administrator may only enter into a financing agreement with a  
613 property owner. However, a nongovernmental lessee may apply to  
614 finance a qualifying improvement if the nongovernmental lessee  
615 provides the program administrator with written consent of the  
616 government lessor. Any financing agreement with the  
617 nongovernmental lessee must provide that the nongovernmental  
618 lessee is the only party obligated to pay the assessment.

619 (3) FINANCING AGREEMENTS.—

620 (a) Before entering into a financing agreement, the program  
621 administrator must make each of the following findings based on  
622 a review of public records derived from a commercially accepted  
623 source and the statements, records, and credit reports of the  
624 commercial property owner or nongovernmental lessee:

625 1. There are sufficient resources to complete the project.

626 2. The total amount of any non-ad valorem assessment for a  
627 commercial property under this section does not exceed 20  
628 percent of the just value of the property as determined by the  
629 property appraiser. The total amount may exceed this limitation  
630 upon written consent of the holders or loan servicers of any  
631 mortgage encumbering or otherwise secured by the commercial  
632 property.

633 3. The combined mortgage-related debt and total amount of  
634 any non-ad valorem assessments under the program for the  
635 commercial property does not exceed 97 percent of the just value  
636 of the property as determined by the property appraiser.

637 4. All property taxes and any other assessments, including  
638 non-ad valorem assessments, levied on the same bill as the

594-02696-24

2024770c2

639 property taxes are current.

640 5. There are no involuntary liens greater than \$5,000,  
641 including, but not limited to, construction liens on the  
642 commercial property.

643 6. No notices of default or other evidence of property-  
644 based debt delinquency have been recorded and not been released  
645 during the preceding 3 years or the property owner's period of  
646 ownership, whichever is less.

647 7. The property owner is current on all mortgage debt on  
648 the commercial property.

649 8. The term of the financing agreement does not exceed the  
650 weighted average useful life of the qualified improvements to  
651 which the greatest portion of funds disbursed under the  
652 assessment contract is attributable, not to exceed 30 years. The  
653 program administrator shall determine the useful life of a  
654 qualifying improvement using established standards, including  
655 certification criteria from government agencies or nationally  
656 recognized standards and testing organizations.

657 9. The property owner or nongovernmental lessee is not  
658 currently the subject of a bankruptcy proceeding.

659 (b) Before entering into a financing agreement, the program  
660 administrator shall determine if there are any current financing  
661 agreements on the commercial property and whether the property  
662 owner or nongovernmental lessee has obtained or sought to obtain  
663 additional qualifying improvements on the same property which  
664 have not yet been recorded. The existence of a prior qualifying  
665 improvement non-ad valorem assessment or a prior financing  
666 agreement is not evidence that the financing agreement under  
667 consideration is affordable or meets other program requirements.

594-02696-24

2024770c2

668 (c) Findings satisfying paragraphs (a) and (b) must be  
669 documented, including supporting evidence relied upon, and  
670 provided to the property owner or nongovernmental lessee prior  
671 to a financing agreement being approved and recorded. The  
672 program administrator must retain the documentation for the  
673 duration of the financing agreement.

674 (d) A property owner or nongovernmental lessee and the  
675 program administrator may agree to include in the financing  
676 agreement provisions for allowing change orders necessary to  
677 complete the qualifying improvement. Any financing agreement or  
678 contract for qualifying improvements which includes such  
679 provisions must meet the requirements of this paragraph. If a  
680 proposed change order on a qualifying improvement will increase  
681 the original cost of the qualifying improvement by 20 percent or  
682 more or will expand the scope of the qualifying improvement by  
683 20 percent or more, before the change order may be executed  
684 which would result in an increase in the amount financed through  
685 the program administrator for the qualifying improvement, the  
686 program administrator must notify the property owner or  
687 nongovernmental lessee, provide an updated written disclosure  
688 form as described in subsection (4) to the property owner or  
689 nongovernmental lessee, and obtain written approval of the  
690 change from the property owner or nongovernmental lessee.

691 (e) A financing agreement may not be entered into if the  
692 total cost of the qualifying improvement, including program fees  
693 and interest, is less than \$2,500.

694 (4) DISCLOSURES.—In addition to the requirements in  
695 subsection (3), a financing agreement may not be approved unless  
696 the program administrator provides, whether on a separate



594-02696-24

2024770c2

697 document or included with other disclosures or forms, a  
698 financing estimate and disclosure to the property owner or  
699 nongovernmental lessee which includes all of the following:

700 (a) The estimated total amount to be financed, including  
701 the total and itemized cost of the qualifying improvement,  
702 program fees, and capitalized interest, if any;

703 (b) The estimated annual non-ad valorem assessment;

704 (c) The term of the financing agreement and the schedule  
705 for the non-ad valorem assessments;

706 (d) The interest charged and estimated annual percentage  
707 rate;

708 (e) A description of the qualifying improvement;

709 (f) The total estimated annual costs that will be required  
710 to be paid under the assessment contract, including program  
711 fees;

712 (g) The estimated due date of the first payment that  
713 includes the non-ad valorem assessment; and

714 (h) A disclosure that the property owner or nongovernmental  
715 lessee may repay any remaining amount owed, at any time, without  
716 penalty or imposition of additional prepayment fees or fines  
717 other than nominal administrative costs.

718 (5) CONSENT OF LIENHOLDERS AND SERVICERS.—Before entering  
719 into a financing agreement with a property owner, the program  
720 administrator must have received the written consent of the  
721 current holders or loan servicers of any mortgage that encumbers  
722 or is otherwise secured by the commercial property or that will  
723 otherwise be secured by the property at the time the financing  
724 agreement is executed.

725 (6) RECORDING.—Any financing agreement approved and entered

594-02696-24

2024770c2

726 into pursuant to this section or a summary memorandum of such  
727 agreement must be submitted for recording in the public records  
728 of the county within which the commercial property is located by  
729 the program administrator within 10 business days after  
730 execution of the agreement. The recorded agreement must provide  
731 constructive notice that the non-ad valorem assessment to be  
732 levied on the property constitutes a lien of equal dignity to  
733 county taxes and assessments from the date of recordation. A  
734 notice of lien for the full amount of the financing may be  
735 recorded in the public records of the county where the property  
736 is located. Such lien is not enforceable in a manner that  
737 results in the acceleration of the remaining nondelinquent  
738 unpaid balance under the assessment financing agreement.

739 (7) SALE OF COMMERCIAL PROPERTY.—At or before the time a  
740 seller executes a contract for the sale of any commercial  
741 property for which a non-ad valorem assessment has been levied  
742 under this section and has an unpaid balance due, the seller  
743 shall give the prospective purchaser a written disclosure  
744 statement in the following form, which must be set forth in the  
745 contract or in a separate writing:

746  
747 QUALIFYING IMPROVEMENTS.—The property being purchased  
748 is subject to an assessment on the property pursuant  
749 to s. 163.082, Florida Statutes. The assessment is for  
750 a qualifying improvement to the property and is not  
751 based on the value of the property. You are encouraged  
752 to contact the property appraiser's office to learn  
753 more about this and other assessments that may be  
754 provided for by law.

594-02696-24

2024770c2

755

756 (8) COMPLETION CERTIFICATE.—Upon disbursement of all  
757 financing and completion of installation of qualifying  
758 improvements financed, the program administrator shall file with  
759 the applicable county or municipality a certificate that the  
760 qualifying improvements have been installed and are in good  
761 working order.

762 (9) CONSTRUCTION.—This section is additional and  
763 supplemental to county and municipal home rule authority and not  
764 in derogation of such authority or a limitation upon such  
765 authority.

766 Section 4. Section 163.083, Florida Statutes, is created to  
767 read:

768 163.083 Qualifying improvement contractors.—

769 (1) A county or municipality shall establish a process, or  
770 approve a process established by a program administrator, to  
771 register contractors for participation in a program authorized  
772 by a county or municipality pursuant to s. 163.081. A qualifying  
773 improvement contractor may only perform such work that the  
774 contractor is appropriately licensed, registered, and permitted  
775 to conduct. At the time of application to participate and during  
776 participation in the program, contractors must:

777 (a) Hold all necessary licenses or registrations for the  
778 work to be performed which are in good standing. Good standing  
779 includes no outstanding complaints with the state or local  
780 government which issues such licenses or registrations.

781 (b) Comply with all applicable federal, state, and local  
782 laws and regulations, including obtaining and maintaining any  
783 other permits, licenses, or registrations required for engaging

594-02696-24

2024770c2

784 in business in the jurisdiction in which it operates and  
785 maintaining all state-required bond and insurance coverage.

786 (c) File with the program administrator a written statement  
787 in a form approved by the county or municipality that the  
788 contractor will comply with applicable laws and rules and  
789 qualifying improvement program policies and procedures,  
790 including those on advertising and marketing.

791 (2) A third-party administrator or a program administrator,  
792 either directly or through an affiliate, may not be registered  
793 as a qualifying improvement contractor.

794 (3) A program administrator shall establish and maintain:

795 (a) A process to monitor qualifying improvement contractors  
796 for performance and compliance with requirements of the program  
797 and must conduct regular reviews of qualifying improvement  
798 contractors to confirm that each qualifying improvement  
799 contractor is in good standing.

800 (b) Procedures for notice and imposition of penalties upon  
801 a finding of violation, which may consist of placement of the  
802 qualifying improvement contractor in a probationary status that  
803 places conditions for continued participation, suspension, or  
804 termination from participation in the program.

805 (c) An easily accessible page on its website that provides  
806 information on the status of registered qualifying improvement  
807 contractors, including any imposed penalties, and the names of  
808 any qualifying improvement contractors currently on probationary  
809 status or that are suspended or terminated from participation in  
810 the program.

811 Section 5. Section 163.084, Florida Statutes, is created to  
812 read:

594-02696-24

2024770c2

813 163.084 Third-party administrator for financing qualifying  
814 improvements programs.-

815 (1) (a) A program administrator may contract with one or  
816 more third-party administrators to administer a program  
817 authorized by a county or municipality pursuant to s. 163.081 or  
818 s. 163.082 on behalf of and at the discretion of the program  
819 administrator.

820 (b) The third-party administrator must be independent of  
821 the program administrator and have no conflicts of interest  
822 between managers or owners of the third-party administrator and  
823 program administrator managers, owners, officials, or employees  
824 with oversight over the contract. The contract must provide for  
825 the entity to administer the program according to the  
826 requirements of s. 163.081 or s. 163.082 and the ordinance or  
827 resolution adopted by the county or municipality authorizing the  
828 program. However, only the program administrator may levy or  
829 administer non-ad valorem assessments.

830 (2) A program administrator may not contract with a third-  
831 party administrator that, within the last 3 years, has been  
832 prohibited from serving as a third-party administrator for  
833 another program administrator for program or contract violations  
834 or has been found by a court of competent jurisdiction to have  
835 violated state or federal laws related to the administration of  
836 ss. 163.081-163.086 or a similar program in another  
837 jurisdiction.

838 (3) The program administrator must include in any contract  
839 with the third-party administrator the right to perform annual  
840 reviews of the administrator to confirm compliance with ss.  
841 163.081-163.086, the ordinance or resolution adopted by the

594-02696-24

2024770c2

842 county or municipality, and the contract with the program  
843 administrator. If the program administrator finds that the  
844 third-party administrator has committed a violation of ss.  
845 163.081-163.086, the adopted ordinance or resolution, or the  
846 contract with the program administrator, the program  
847 administrator shall provide the third-party administrator with  
848 notice of the violation and may, as set forth in the adopted  
849 ordinance or resolution or the contract with the third-party  
850 administrator:

851 (a) Place the third-party administrator in a probationary  
852 status that places conditions for continued operations.

853 (b) Impose any fines or sanctions.

854 (c) Suspend the activity of the third-party administrator  
855 for a period of time.

856 (d) Terminate the agreement with the third-party  
857 administrator.

858 (4) A program administrator may terminate the agreement  
859 with a third-party administrator, as set forth by the county or  
860 municipality in its adopted ordinance or resolution or the  
861 contract with the third-party administrator, if the program  
862 administrator makes a finding that:

863 (a) The third-party administrator has violated the contract  
864 with the program administrator. The contract may set forth  
865 substantial violations that may result in contract termination  
866 and other violations that may provide for a period of time for  
867 correction before the contract may be terminated.

868 (b) The third-party administrator, or an officer, a  
869 director, a manager or a managing member, or a control person of  
870 the third-party administrator, has been found by a court of

594-02696-24

2024770c2

871 competent jurisdiction to have violated state or federal laws  
872 related to the administration a program authorized of the  
873 provisions of ss. 163.081-163.086 or a similar program in  
874 another jurisdiction within the last 5 years.

875 (c) Any officer, director, manager or managing member, or  
876 control person of the third-party administrator has been  
877 convicted of, or has entered a plea of guilty or nolo contendere  
878 to, regardless of whether adjudication has been withheld, a  
879 crime related to administration of a program authorized of the  
880 provisions of ss. 163.081-163.086 or a similar program in  
881 another jurisdiction within the last 10 years.

882 (d) An annual performance review reveals a substantial  
883 violation or a pattern of violations by the third-party  
884 administrator.

885 (5) Any recorded financing agreements at the time of  
886 termination or suspension by the program administrator shall  
887 continue.

888 Section 6. Section 163.085, Florida Statutes, is created to  
889 read:

890 163.085 Advertisement and solicitation for financing  
891 qualifying improvements programs under s. 163.081 or s.  
892 163.082.—

893 (1) When communicating with a property owner or a  
894 nongovernmental lessee, a program administrator, qualifying  
895 improvement contractor, or third-party administrator may not:

896 (a) Suggest or imply:

897 1. That a non-ad valorem assessment authorized under s.  
898 163.081 or s. 163.082 is a government assistance program;

899 2. That qualifying improvements are free or provided at no

594-02696-24

2024770c2

900 cost, or that the financing related to a non-ad valorem  
901 assessment authorized under s. 163.081 or s. 163.082 is free or  
902 provided at no cost; or

903 3. That the financing of a qualifying improvement using the  
904 program authorized pursuant to s. 163.081 or s. 163.082 does not  
905 require repayment of the financial obligation.

906 (b) Make any representation as to the tax deductibility of  
907 a non-ad valorem assessment. A program administrator, qualifying  
908 improvement contractor, or third-party administrator may  
909 encourage a property owner or nongovernmental lessee to seek the  
910 advice of a tax professional regarding tax matters related to  
911 assessments.

912 (2) A program administrator or third-party administrator  
913 may not provide to a qualifying improvement contractor any  
914 information that discloses the amount of financing for which a  
915 property owner or nongovernmental lessee is eligible for  
916 qualifying improvements or the amount of equity in a residential  
917 property or commercial property.

918 (3) A qualifying improvement contractor may not advertise  
919 the availability of financing agreements for, or solicit program  
920 participation on behalf of, the program administrator unless the  
921 contractor is registered by the program administrator to  
922 participate in the program and is in good standing with the  
923 program administrator.

924 (4) A program administrator or third-party administrator  
925 may not provide any payment, fee, or kickback to a qualifying  
926 improvement contractor for referring property owners or  
927 nongovernmental lessees to the program administrator or third-  
928 party administrator. However, a program administrator or third-



594-02696-24

2024770c2

929 party administrator may provide information to a qualifying  
930 improvement contractor to facilitate the installation of a  
931 qualifying improvement for a property owner or nongovernmental  
932 lessee.

933 (5) A program administrator or third-party administrator  
934 may not reimburse a qualifying improvement contractor for its  
935 expenses in advertising and marketing campaigns and materials.

936 (6) A qualifying improvement contractor may not provide a  
937 different price for a qualifying improvement financed under s.  
938 163.081 than the price that the qualifying improvement  
939 contractor would otherwise provide if the qualifying improvement  
940 was not being financed through a financing agreement. Any  
941 contract between a property owner or nongovernmental lessee and  
942 a qualifying improvement contractor must clearly state all  
943 pricing and cost provisions, including any process for change  
944 orders which meet the requirements of s. 163.081(3)(d).

945 (7) A program administrator, qualifying improvement  
946 contractor, or third-party administrator may not provide any  
947 direct cash payment or other thing of material value to a  
948 property owner or nongovernmental lessee which is explicitly  
949 conditioned upon the property owner or nongovernmental lessee  
950 entering into a financing agreement. However, a program  
951 administrator or third-party administrator may offer programs or  
952 promotions on a non-discriminatory basis that provide reduced  
953 fees or interest rates if the reduced fees or interest rates are  
954 reflected in the financing agreements and are not provided to  
955 the property owner or nongovernmental lessee as cash  
956 consideration.

957 Section 7. Section 163.086, Florida Statutes, is created to

594-02696-24

2024770c2

958 read:

959 163.086 Unenforceable financing agreements for qualifying  
960 improvements programs under s. 163.081 or s. 163.082;  
961 attachment; fraud.-

962 (1) A recorded financing agreement may not be removed from  
963 attachment to a residential property or commercial property if  
964 the property owner or nongovernmental lessee fraudulently  
965 obtained funding pursuant to s. 163.081 or s. 163.082.

966 (2) A financing agreement may not be enforced, and a  
967 recorded financing agreement may be removed from attachment to a  
968 residential property or commercial property and deemed null and  
969 void, if:

970 (a) The property owner or nongovernmental lessee applied  
971 for, accepted, and canceled a financing agreement within the 3-  
972 business-day period pursuant to s. 163.081(6). A qualifying  
973 improvement contractor may not begin work under a canceled  
974 contract.

975 (b) A person other than the property owner or  
976 nongovernmental lessee obtained the recorded financing  
977 agreement. The court may enter an order which holds that person  
978 or persons personally liable for the debt.

979 (c) The program administrator, third-party administrator,  
980 or qualifying improvement contractor approved or obtained  
981 funding through fraudulent means and in violation of ss.  
982 163.081-163.085, or this section for qualifying improvements on  
983 the residential property or commercial property.

984 (3) If a qualifying improvement contractor has initiated  
985 work on residential property or commercial property under a  
986 contract deemed unenforceable under this section, the qualifying

594-02696-24

2024770c2

987 improvement contractor:

988 (a) May not receive compensation for that work under the  
989 financing agreement.

990 (b) Must restore the residential property or commercial  
991 property to its original condition at no cost to the property  
992 owner or nongovernmental lessee.

993 (c) Must immediately return any funds, property, and other  
994 consideration given by the property owner or nongovernmental  
995 lessee. If the property owner or nongovernmental lessee provided  
996 any property and the qualifying improvement contractor does not  
997 or cannot return it, the qualifying improvement contractor must  
998 immediately return the fair market value of the property or its  
999 value as designated in the contract, whichever is greater.

1000 (4) If the qualifying improvement contractor has delivered  
1001 chattel or fixtures to residential property or commercial  
1002 property pursuant to a contract deemed unenforceable under this  
1003 section, the qualifying improvement contractor has 90 days after  
1004 the date on which the contract was executed to retrieve the  
1005 chattel or fixtures, provided that:

1006 (a) The qualifying improvement contractor has fulfilled the  
1007 requirements of paragraphs (3) (a) and (b).

1008 (b) The chattel and fixtures can be removed at the  
1009 qualifying improvement contractor's expense without damaging the  
1010 residential property or commercial property.

1011 (5) If a qualifying improvement contractor fails to comply  
1012 with this section, the property owner or nongovernmental lessee  
1013 may retain any chattel or fixtures provided pursuant to a  
1014 contract deemed unenforceable under this section.

1015 (6) A contract that is otherwise unenforceable under this

594-02696-24

2024770c2

1016 section remains enforceable if the property owner or  
1017 nongovernmental lessee waives his or her right to cancel the  
1018 contract or cancels the financing agreement pursuant to s.  
1019 163.081(6) or s. 163.082(6) but allows the qualifying  
1020 improvement contractor to proceed with the installation of the  
1021 qualifying improvement.

1022 Section 8. Section 163.087, Florida Statutes, is created to  
1023 read:

1024 163.087 Reporting for financing qualifying improvements  
1025 programs under s. 163.081 or s. 163.082.—

1026 (1) Each program administrator that is authorized to  
1027 administer a program for financing qualifying improvements to  
1028 residential property or commercial property under s. 163.081 or  
1029 s. 163.082 shall post on its website an annual report within 45  
1030 days after the end of its fiscal year containing the following  
1031 information from the previous year for each program authorized  
1032 under s. 163.081 or s. 163.082:

1033 (a) The number and types of qualifying improvements funded.

1034 (b) The aggregate, average, and median dollar amounts of  
1035 annual non-ad valorem assessments and the total number of non-ad  
1036 valorem assessments collected pursuant to financing agreements  
1037 for qualifying improvements.

1038 (c) The total number of defaulted non-ad valorem  
1039 assessments, including the total defaulted amount, the number  
1040 and dates of missed payments, and the total number of parcels in  
1041 default and the length of time in default.

1042 (d) A summary of all reported complaints received by the  
1043 program administrator related to the program, including the  
1044 names of the third-party administrator, if applicable, and

594-02696-24

2024770c2

1045 qualifying improvement contractors and the resolution of each  
1046 complaint.

1047 (2) The Auditor General must conduct an operational audit  
1048 of each program authorized under s. 163.081 or s. 163.082,  
1049 including any third-party administrators, for compliance with  
1050 the provisions of ss. 163.08-163.086 and any adopted ordinance  
1051 at least once every 24 months. The Auditor General may stagger  
1052 evaluations such that a portion of all programs are evaluated in  
1053 1 year; however, every program must be evaluated at least once  
1054 by September 1, 2027. Each program administrator, and third-  
1055 party administrator if applicable, must post the most recent  
1056 report on its website.

1057 Section 9. This act shall take effect July 1, 2024.