

1 A bill to be entitled
2 An act relating to the My Safe Florida Condominium
3 Pilot Program; amending s. 215.55871, F.S.; revising
4 the definition of the term "condominium"; limiting
5 participation in the My Safe Florida Condominium Pilot
6 Program to certain structures and buildings on
7 condominium property; prohibiting a condominium
8 association from applying for a hurricane mitigation
9 inspection or a mitigation grant under the pilot
10 program unless certain conditions are met; providing
11 that grant funds may only be used for certain water
12 intrusion mitigation devices or improvements; revising
13 the approval requirements to receive a mitigation
14 grant; removing the amount of grant funding for
15 certain projects; revising the improvements for which
16 a mitigation grant may be used; requiring improvements
17 to be identified in the final hurricane mitigation
18 inspection in order for an association to receive
19 grant funds; requiring grant funds to be awarded for a
20 mitigation improvement that will result in a
21 mitigation credit, discount, or other rate
22 differential; requiring mitigation improvements to be
23 made to all openings under certain circumstances;
24 providing an effective date.
25

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

27
28 Section 1. Paragraphs (a) through (d) of subsection (2) of
29 section 215.55871, Florida Statutes, are redesignated as
30 paragraphs (b) through (e), respectively, paragraph (d) of
31 subsection (1), present paragraphs (a) and (b) of subsection
32 (2), and paragraphs (a) and (d) through (h) of subsection (5)
33 are amended, and a new paragraph (a) is added to subsection (2)
34 and paragraph (j) is added to subsection (5) of that section, to
35 read:

36 215.55871 My Safe Florida Condominium Pilot Program.—There
37 is established within the Department of Financial Services the
38 My Safe Florida Condominium Pilot Program to be implemented
39 pursuant to appropriations. The department shall provide fiscal
40 accountability, contract management, and strategic leadership
41 for the pilot program, consistent with this section. This
42 section does not create an entitlement for associations or unit
43 owners or obligate the state in any way to fund the inspection
44 or retrofitting of condominiums in the state. Implementation of
45 this pilot program is subject to annual legislative
46 appropriations. It is the intent of the Legislature that the My
47 Safe Florida Condominium Pilot Program provide licensed
48 inspectors to perform inspections for and grants to eligible
49 associations as funding allows.

50 (1) DEFINITIONS.—As used in this section, the term:

51 (d) "Condominium" has the same meaning as in s. 718.103.
52 For purposes of this section, the term does not include detached
53 units on individual parcels of land.

54 (2) PARTICIPATION.—

55 (a) Participation in the pilot program is limited to
56 structures or buildings on the condominium property which are
57 three or more stories in height, provided that each structure or
58 building that is the subject of a mitigation grant contains at
59 least two single-family dwellings.

60 (b) ~~(a)~~ In order to apply for an inspection under
61 subsection (4) or a grant under subsection (5) for association
62 property or condominium property, an association must receive
63 approval by a majority vote of the board of administration or a
64 majority vote of the total voting interests of the association
65 to participate in the pilot program. An association may not
66 apply for an inspection under subsection (4) or a grant under
67 subsection (5) for association property or condominium property
68 unless the association has complied with the inspection
69 requirements in ss. 553.899 and 718.112(2)(g) and (h). An
70 association may not apply for a grant under subparagraph
71 (5)(e)1. for association property or condominium property unless
72 the windows of the association property or condominium property
73 are established as common elements in the declaration.

74 (c) ~~(b)~~ In order to apply for a grant under subsection (5)
75 which improves one or more units within a condominium, an

76 association must receive both of the following:

77 1. Approval by a majority vote of the board of
78 administration or a majority vote of the total voting interests
79 of the association to participate in a mitigation inspection.

80 2. Approval by at least 75 percent ~~A unanimous vote~~ of all
81 unit owners who reside within the structure or building that is
82 the subject of the mitigation grant.

83 (5) MITIGATION GRANTS.—Financial grants may be used by
84 associations to make improvements recommended in a hurricane
85 mitigation inspection report which increase the condominium's
86 resistance to hurricane damage.

87 (a) An application for a mitigation grant must:

88 1. Contain a signed or electronically verified statement
89 made under penalty of perjury by the president of the board of
90 administration that the association has submitted only a single
91 application for each property that the association operates or
92 maintains.

93 2. Include a notarized statement from the president of the
94 board of administration containing the name and license number
95 of each contractor the association intends to use for the
96 mitigation project.

97 3. Include a notarized statement from the president of the
98 board of administration which commits to the department that the
99 association will complete the mitigation improvements. If the
100 grant will be used to improve units, the application must also

101 include an acknowledged statement from each unit owner who is
102 required to provide approval for a grant under paragraph (2) (c)
103 ~~(2) (b)~~.

104 (d) Grant projects shall be funded as follows:

105 1. All grants must be matched on the basis of \$1 provided
106 by the association for \$2 provided by the state toward the
107 actual cost of the project.

108 ~~2. For roof-related projects, the grant contribution is~~
109 ~~\$11 per square foot multiplied by the square footage of the~~
110 ~~replacement roof, not to exceed \$1,000 per unit, with a maximum~~
111 ~~grant award of 50 percent of the cost of the project.~~

112 ~~3. For opening protection-related projects, the grant~~
113 ~~contribution is a maximum of \$750 per replacement window or~~
114 ~~door, not to exceed \$1,500 per unit, with a maximum grant award~~
115 ~~of 50 percent of the cost of the project.~~

116 ~~2.4.~~ An association may receive grant funds for both roof-
117 related and opening protection-related projects, but the maximum
118 total grant award may not exceed \$175,000 per association.

119 ~~3.5.~~ The department may not accept grant applications or
120 maintain a waiting list for grants after the cumulative value of
121 the grants awarded have fully obligated the appropriation,
122 unless otherwise expressly authorized by the Legislature.

123 (e) Grant funds may only be used for water intrusion
124 mitigation devices or mitigation improvements that will result
125 in a mitigation credit, discount, or other rate differential for

126 the building or structure to which such device or improvement is
127 applied or made. When recommended by a hurricane mitigation
128 inspection report, grants for eligible associations may be used
129 for the following improvements:

130 1. Opening protection improvements, including all of the
131 following:

132 a. Exterior doors.~~7~~

133 b. Garage doors.~~7~~

134 c. Windows.~~7~~ and

135 d. Skylights.

136
137 2. Roof improvements, including all of the following:

138 a.2. Reinforcing roof-to-wall connections.

139 b.3. Improving the strength of roof-deck attachments.

140 c.4. Installing secondary water resistance for the roof.

141 d. Replacing the roof covering.

142 (f) Improvements must be identified in the final hurricane
143 mitigation inspection in order for an association to receive
144 grant funds ~~Grants may be used for a previously inspected~~
145 ~~existing structure on the property.~~

146 (g)~~1.~~ If improvements to protect the property that ~~which~~
147 complied with the current applicable building code at the time
148 have been previously installed, the association must use a
149 mitigation grant to install improvements that do both of the
150 following:

151 ~~1.a.~~ Comply with or exceed the applicable building code in
152 effect at the time the association applied for the grant.

153 ~~2.b.~~ Provide more hurricane protection than the
154 improvements that the association previously installed.

155 ~~(h)2.~~ The association may not use a mitigation grant to:

156 ~~1.a.~~ Install the same type of improvements that were
157 previously installed; or

158 ~~2.b.~~ Pay a deductible for a pending insurance claim for
159 damage that is part of the property for which grant funds are
160 being received.

161 ~~(i)(h)~~ The department shall develop a process that ensures
162 the most efficient means to collect and verify inspection and
163 grant applications to determine eligibility. The department may
164 direct hurricane mitigation inspectors to collect and verify
165 inspection and grant application information or use the Internet
166 or other electronic means to collect information and determine
167 eligibility.

168 (j) Grant funds may only be awarded for a mitigation
169 improvement that will result in a mitigation credit, discount,
170 or other rate differential for the building or structure to
171 which the improvement is made. As a condition of awarding a
172 grant, the department must require mitigation improvements to be
173 made to all openings, including exterior doors, garage doors,
174 windows, and skylights, if doing so is necessary for the
175 building or structure to qualify for a mitigation credit,

176 | discount, or other rate differential.

177 | Section 2. This act shall take effect upon becoming a law.