

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.; defining
4 the term "area median income"; removing the definition
5 of the term "service area"; revising eligibility
6 requirements for the My Safe Florida Condominium Pilot
7 Program; requiring the Department of Financial
8 Services to adopt rules to verify household income;
9 authorizing condominiums with mixed-income occupancies
10 to participate in the pilot program under certain
11 circumstances; requiring an application for a
12 mitigation grant to include documentation to verify
13 household income; limiting the award of grant funds;
14 requiring an association to complete a certain
15 percentage of opening protection improvements;
16 providing an effective date.

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

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20 **Section 1. Subsections (1) and (2) and paragraphs (a) and**
21 **(j) of subsection (5) of section 215.55871, Florida Statutes,**
22 **are amended to read:**

23 215.55871 My Safe Florida Condominium Pilot Program.—There
24 is established within the Department of Financial Services the
25 My Safe Florida Condominium Pilot Program to be implemented

26 | pursuant to appropriations. The department shall provide fiscal
27 | accountability, contract management, and strategic leadership
28 | for the pilot program, consistent with this section. This
29 | section does not create an entitlement for associations or unit
30 | owners or obligate the state in any way to fund the inspection
31 | or retrofitting of condominiums in the state. Implementation of
32 | this pilot program is subject to annual legislative
33 | appropriations. It is the intent of the Legislature that the My
34 | Safe Florida Condominium Pilot Program provide licensed
35 | inspectors to perform inspections for and grants to eligible
36 | associations as funding allows.

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

38 | (a) "Area median income" means the median household
39 | income, as published annually by the United States Department of
40 | Housing and Urban Development, for the county in which the
41 | condominium property is located.

42 | (b) ~~(a)~~ "Association" has the same meaning as in s.
43 | 718.103.

44 | (c) ~~(b)~~ "Association property" means property, real and
45 | personal, which is owned or leased by, or is dedicated by a
46 | recorded plat to, an association for the use and benefit of its
47 | members ~~and is located in the service area.~~

48 | (d) ~~(e)~~ "Board of administration" has the same meaning as
49 | in s. 718.103.

50 | (e) ~~(d)~~ "Condominium" has the same meaning as in s.

718.103. For purposes of this section, the term does not include detached units on individual parcels of land.

(f)~~(e)~~ "Condominium property" means the lands, leaseholds, and personal property that are subjected to condominium ownership, whether or not contiguous, and all improvements thereon and all easements and rights appurtenant thereto intended for use in connection with the condominium ~~and are located in the service area.~~

(g)~~(f)~~ "Department" means the Department of Financial Services.

(h)~~(g)~~ "Property" means association property and condominium property, as applicable, ~~located in the service area.~~

~~(h) "Service area" means the area of the state which is 15 miles inward of a coastline, as that term is defined in s. 376.031.~~

(i) "Unit" has the same meaning as in s. 718.103.

(j) "Unit owner" has the same meaning as in s. 718.103.

(2) PARTICIPATION.—

(a) Participation in the pilot program is limited to:

1. Condominium associations in which the structures or buildings on the condominium property were constructed before January 1, 2008.

2. Condominium associations in which at least 80 percent of the occupied units within the condominium are owned or

76 occupied by a person or family whose annual income is at or
77 below 80 percent of the area median income, adjusted for
78 household size, applicable to the county in which the
79 condominium is located. Eligibility must be determined using the
80 area median income published at the time an application is
81 submitted. For purposes of determining if a condominium
82 association meets the 80 percent unit-occupied threshold:

83 a. Only occupied residential units may be counted.

84 b. Both owner-occupied and tenant-occupied residential
85 units may be counted as long as the persons or families living
86 in such residential units provide income documentation to the
87 department and the department has verified that such person or
88 family meets the income requirements of this subparagraph.

89 3. Structures or buildings on the condominium property
90 which are three or more stories in height, provided that each
91 structure or building that is the subject of a mitigation grant
92 contains at least two single-family dwellings.

93 (b) The department shall adopt rules establishing
94 acceptable methods for verifying household income, including,
95 but not limited to, owner self-certification, tax returns,
96 income statements, or other documentation deemed sufficient by
97 the department. The department may require periodic
98 recertification of income eligibility to ensure compliance with
99 this section.

100 (c) A condominium with mixed-income occupancies is

101 eligible to participate in the pilot program under this section
102 if the income threshold in subparagraph (a)2. is met.

103 (d)-(b) In order to apply for an inspection under
104 subsection (4) or a grant under subsection (5) for association
105 property or condominium property, an association must receive
106 approval by a majority vote of the board of administration or a
107 majority vote of the total voting interests of the association
108 to participate in the pilot program. An association may not
109 apply for an inspection under subsection (4) or a grant under
110 subsection (5) for association property or condominium property
111 unless the association has complied with the inspection
112 requirements in ss. 553.899 and 718.112(2)(g) and (h). An
113 association may not apply for a grant under subparagraph
114 (5)(e)1. for association property or condominium property unless
115 the windows of the association property or condominium property
116 are established as common elements in the declaration.

117 (e)-(c) In order to apply for a grant under subsection (5)
118 which improves one or more units within a condominium, an
119 association must receive both of the following:

120 1. Approval by a majority vote of the board of
121 administration or a majority vote of the total voting interests
122 of the association to participate in a mitigation inspection.

123 2. Approval by at least 75 percent of all unit owners who
124 reside within the structure or building that is the subject of
125 the mitigation grant.

126 (f)~~(d)~~ A unit owner may participate in the pilot program
127 through a mitigation grant awarded to the association but may
128 not participate individually in the pilot program.

129 (g)~~(e)~~ The votes required under this subsection may take
130 place at the annual budget meeting of the association or at a
131 unit owner meeting called for the purpose of taking such vote.
132 Before a vote of the unit owners may be taken, the association
133 must provide to the unit owners a clear disclosure of the pilot
134 program on a form created by the department. The president and
135 the treasurer of the board of administration must sign the
136 disclosure form indicating that a copy of the form was provided
137 to each unit owner of the association. The signed disclosure
138 form and the minutes from the meeting at which the unit owners
139 voted to participate in the pilot program must be maintained as
140 part of the official records of the association. Within 14 days
141 after an affirmative vote to participate in the pilot program,
142 the association must provide written notice in the same manner
143 as required under s. 718.112(2)(d) to all unit owners of the
144 decision to participate in the pilot program.

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

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

150 1. Contain a signed or electronically verified statement

made under penalty of perjury by the president of the board of administration that the association has submitted only a single application for each property that the association operates or maintains.

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

3. Include a notarized statement from the president of the board of administration which commits to the department that the association will complete the mitigation improvements. If the grant will be used to improve units, the application must also include an acknowledged statement from each unit owner who is required to provide approval for a grant under paragraph (2) (d) ~~(2) (e)~~.

4. Include documentation deemed sufficient by the department under paragraph (2) (b) for verifying household income.

(j) Grant funds may only be awarded for a mitigation improvement that addresses the common elements of the condominium property ~~that will result in a mitigation credit, discount, or other rate differential for the building or structure to which the improvement is made.~~ As a condition of receiving ~~awarding~~ a grant, the association ~~department~~ must complete 100 percent of the opening protection improvements to

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176 the common elements which were recommended in the final
177 hurricane mitigation inspection report ~~require mitigation~~
178 ~~improvements to be made to all openings,~~ including exterior
179 doors, garage doors, windows, and skylights that are a part of
180 the common elements, ~~if doing so is necessary for the building~~
181 ~~or structure to qualify for a mitigation credit, discount, or~~
182 ~~other rate differential.~~

183 **Section 2.** This act shall take effect July 1, 2026.