

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Regulated Industries

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BILL: SB 1706

INTRODUCER: Senator Pizzo

SUBJECT: My Safe Florida Condominium Pilot Program

DATE: February 9, 2026

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Knudson</u>	<u>Knudson</u>	<u>BI</u>	<b>Favorable</b>
2.	<u>Oxamendi</u>	<u>Imhof</u>	<u>RI</u>	<b>Favorable</b>
3.	<u>                    </u>	<u>                    </u>	<u>AP</u>	<u>                    </u>

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**I. Summary:**

SB 1706 expands the scope of the My Safe Florida Condominium Pilot Program (program) statewide by eliminating the requirement that eligible condominium property must be within 15 miles inward of a coastline. However, the bill restricts participation in the program to condominium associations in which:

- The structures or buildings on the condominium property were constructed before January 1, 2008, and
- At least 80 percent of the occupied units within the condominium property are owned and occupied by a person or family whose household annual income is at or below 80 percent of the area median income, adjusted for household size, applicable to the county in which the condominium is located.

The bill specifies that the program grant funds must be used only for a mitigation improvement that addresses the common elements of the condominium property.

The bill repeals the requirement that grant funds must be used for mitigation improvements that will result in a mitigation credit, discount, or other rate differential for the building or structure to which the improvement is made. The bill instead requires that a condominium association receiving a grant must complete 100 percent of the opening protection improvements to the common elements which were recommended in the final hurricane mitigation inspection report. Given that mitigation credits generally are only awarded if all openings are hurricane resistant, this new requirement should have the same effect as under current law, to ensure that mitigation grants harden the structure against hurricane risk.

The bill also allows mitigation grants to be awarded for water intrusion mitigation devices, which generally do not result in mitigation credits.

The bill takes effect July 1, 2026.

## II. Present Situation:

The Legislature created the My Safe Florida Condominium Pilot Program (program) within the Department of Financial Services (DFS), in 2024.<sup>1</sup> The program received a nonrecurring appropriation of \$30 million from the General Revenue Fund.<sup>2</sup> The program provides a condominium association (association) a program similar to that of the My Safe Florida Home Program for single-family, detached residential properties and townhomes.<sup>3</sup> Implementation of the program is subject to annual legislative appropriations. The program supports eligible condominium associations by providing free inspections and grant funding for wind mitigation improvements, which may have the added benefit of lowering wind insurance premiums.

The program is limited to associations located in the “service area,” which is the area of the state within 15 miles inward of a coastline as defined in s. 376.031, F.S.<sup>4</sup> The 2025 Legislature further limited participation in the program by excluding detached units on individual parcels of land,<sup>5</sup> limiting participation in the program to structures or buildings on the condominium property that are three or more stories in height and contain at least two single-family dwellings,<sup>6</sup> and prohibiting an association applying for an inspection or mitigation grant unless the windows of the subject property are established as common elements in the declaration and the association has complied with the inspection requirements in s. 553.899, F.S., relating to milestone inspections for residential condominium and cooperative buildings that are three or more habitable stories in height, and s. 718.112(2)(g) and (h), F.S.,<sup>7</sup> relating to structural integrity reserve studies.

The DFS issued its 2025 Annual Report program with the following findings:

- Approximately 700 initial inspections have been completed across 206 condominium associations.
- 206 grant applications have been received by the program at a total value of \$36,050,000.
- 42 condominium associations have been fully approved for grants and are advancing through construction.
- The total value of approved applications is \$7,350,000.
- Two condominium associations have progressed to the reimbursement state.<sup>8</sup>

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<sup>1</sup> Chapter 2024-108, Laws of Fla.

<sup>2</sup> Line 2375 of the General Appropriations Act, ch. 2024-231, Laws of Fla. (\$27,636,000 for grants; \$600,000 for inspections; and \$1,764,000 for operations and administration).

<sup>3</sup> See s. 215.5586, F.S.

<sup>4</sup> “Coastline” means the line of mean low water along the portion of the coast that is in direct contact with the open sea and the line marking the seaward limit of inland waters, as determined under the Convention on Territorial Seas and the Contiguous Zone, 15 U.S.T. (Pt. 2) 1606. Section 376.031(4), F.S.

<sup>5</sup> Section 215.55871(1)(d), F.S.

<sup>6</sup> Section 215.55871(2)(a), F.S.

<sup>7</sup> Section 215.55871(2)(b), F.S.

<sup>8</sup> Department of Financial Services, *2025 Annual Report My Safe Florida Condominium Pilot Program Report*, February 1, 2025 (on file with the Senate Committee on Banking and Insurance).

### ***Condominium Associations and Unit Owners***

A condominium is a “form of ownership of real property created pursuant to ch. 718, F.S., which is comprised entirely of units that may be owned by one or more persons, and in which there is, appurtenant to each unit, an undivided share in common elements.”

Condominiums are created under ch. 718, F.S.,<sup>9</sup> the “Condominium Act.” Condominium unit owners are in a unique legal position because they are exclusive owners of property within a community, joint owners of community common elements, and members of the condominium association.<sup>10</sup> For unit owners, membership in the association is an unalienable right and required condition of unit ownership.<sup>11</sup>

The term “unit” means “a part of the condominium property which is subject to exclusive ownership. A unit may be in improvements, land, or land and improvements together, as specified in the declaration.”<sup>12</sup>

### ***Grant Procedures for Associations***

To apply for an inspection of condominium parcels under the program, the association must receive approval by a majority vote of the board of administration or a majority vote of the total voting interests of the association.<sup>13</sup> In order to apply for a grant, the association must receive both of the following:

- Approval by a majority vote of the board of administration or a majority vote of the total voting interests of the association to participate in a mitigation grant; and
- Approval by at least a 75 percent vote of all unit owners within the structure or building that is the subject of the mitigation grant.<sup>14</sup>

Associations may vote on participation in the program at either an annual meeting or a unit owner meeting called for the purpose of taking a vote on such participation.<sup>15</sup> The association must provide unit owners with clear disclosure of the program prior to a vote taking place.<sup>16</sup> The president and treasurer of the board of administration are required to sign the disclosure form indicating a copy of the disclosure form was provided to each unit owner.<sup>17</sup> The association must maintain the signed disclosure form and the minutes from the meeting at which the unit owners voted to participate in the program as part of the official records of the association.<sup>18</sup> Within 14 days after an affirmative vote to participate in the program, the association must provide written notice as required under s. 718.112(2)(d), F.S., to all unit owners of the decision to participate in the program.<sup>19</sup>

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<sup>9</sup> Section 718.103(12), F.S.

<sup>10</sup> See s. 718.103, F.S., for the terms used in the Condominium Act.

<sup>11</sup> Section 718.103(3), F.S.

<sup>12</sup> Section 718.103(31), F.S.

<sup>13</sup> Section 215.55871(2)(b), F.S.

<sup>14</sup> Section 215.55871(2)(c), F.S.

<sup>15</sup> Section 215.55871(2)(e), F.S.

<sup>16</sup> *Id.*

<sup>17</sup> *Id.*

<sup>18</sup> *Id.*

<sup>19</sup> *Id.*

***Pilot Program Hurricane Mitigation Inspections***

Hurricane mitigation inspections provided to an association must, at a minimum, include:

- An inspection of the property, and a report that summarizes the results and identifies recommended improvements the association may take to mitigate hurricane damage;
- A range of cost estimates regarding the recommended mitigation improvements; and
- Information regarding estimated insurance premium discounts, correlated to the current mitigation features and the recommended mitigation improvements identified by the inspection.<sup>20</sup>

An application for an inspection must 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.<sup>21</sup> An association may apply for and receive an inspection without also applying for a grant.<sup>22</sup>

***Hurricane Mitigation Inspectors***

Only licensed inspectors may perform inspections of the property to determine the mitigation measures that are needed, the insurance premium discounts that may be available, and which identify recommended improvements the association may take to mitigate hurricane damage.<sup>23</sup>

The DFS must contract with wind certification entities to provide the inspections.<sup>24</sup> Eligible wind certification entities must, at a minimum:

- Use inspectors who are licensed or certified as:
  - A building inspector under s. 468.607, F.S.;
  - A general, building, or residential contractor under s. 489.111, F.S.;
  - A professional engineer under s. 471.015, F.S.;
  - A professional architect under s. 481.213, F.S.; or
  - A home inspector under s. 468.8314, F.S., who has completed at least three hours of hurricane mitigation training approved by the Construction Industry Licensing Board, within the Department of Business and Professional Regulation, which must include hurricane mitigation techniques, compliance with the uniform mitigation verification form, and completion of a proficiency exam;
- Use inspectors who have undergone drug testing and a background screening that includes submission and processing of fingerprints; and
- Provide a quality assurance program, including a reinspection component.<sup>25</sup>

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<sup>20</sup> Section 215.55871(4)(a), F.S.

<sup>21</sup> Section 215.55871(4)(b), F.S.

<sup>22</sup> Section 215.55871(4)(c), F.S.

<sup>23</sup> Section 215.55871(3)(a), F.S.

<sup>24</sup> Section 215.55871(3)(b), F.S.

<sup>25</sup> *Id.*

***Pilot Program Mitigation Grants***

Grants must be used by associations to make improvements recommended by an inspection which increases the condominium parcel's resistance to hurricane damage.<sup>26</sup> An application for a grant must:

- 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;
- Include a notarized statement from the president of the board of administration containing the name and license number of the contractor it intends to use for the mitigation project; and
- Include a notarized statement from the president of the board of administration which commits to the DFS 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.<sup>27</sup>

An association may select its own contractor for the mitigation project so long as the contractor meets all qualification, certification, or licensing requirements in general law.<sup>28</sup> A mitigation project must be performed by a properly licensed contractor who has secured all required local permits necessary for the project.<sup>29</sup> The DFS must electronically verify that the contractor's state license number is accurate and up to date before approving a grant application.<sup>30</sup>

All grants must be matched on the basis of one dollar provided by the association for two dollars provided by the state.<sup>31</sup> An association may receive grant funds for both roof-related and opening protection-related projects, but the total grant award may not exceed \$175,000 per association.<sup>32</sup>

Grant funds may only be used for water intrusion mitigation devices or mitigation improvements that will result in a mitigation credit, discount, or other rate differential for the building or structure to which such device or improvement is applied or made.<sup>33</sup> An association awarded a grant must complete the entire mitigation project in order to receive the final grant award and must agree to make the property available for a final inspection once the mitigation project is finished.<sup>34</sup> Improvements must be verified in the final hurricane mitigation inspection in order for an association to receive grant funds.<sup>35</sup> Grant awards are conditioned on a requirement that mitigation improvements be made to all openings if doing so is necessary for the building or structure to qualify for a mitigation credit, discount, or other rate differential.<sup>36</sup> The mitigation project must be completed in a manner consistent with the intent of the program and must meet or exceed applicable Florida Building Code requirements.<sup>37</sup> The association must submit a

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<sup>26</sup> Section 215.55871(5), F.S.

<sup>27</sup> Section 215.55871(5)(a), F.S.

<sup>28</sup> Section 215.55871(5)(b), F.S.

<sup>29</sup> *Id.*

<sup>30</sup> *Id.*

<sup>31</sup> Section 215.55871(5)(d)1., F.S.

<sup>32</sup> Section 215.55871(5)(d)4., F.S.

<sup>33</sup> Section 215.55871(5)(e), F.S.

<sup>34</sup> Section 215.55871(5)(c), F.S.

<sup>35</sup> Section 215.55871(5)(f), F.S.

<sup>36</sup> Section 215.55871(5)(j), F.S.

<sup>37</sup> Section 215.55871(5)(g), F.S.

request to the DFS for a final inspection, or request an extension of time, within one year after receiving grant approval; otherwise the application is deemed abandoned and the grant money reverts back to the DFS.<sup>38</sup>

When recommended by a hurricane mitigation inspection report, grants may be used for the following improvements:

- Opening protection, including exterior doors, garage doors, windows, and skylights.
- Roof improvements, including reinforcing roof-to-wall connections, improving the strength of roof deck attachments, installing secondary water resistance for the roof, and replacing the roof covering.
- Grant awards for water intrusion mitigation devices, however, are not being awarded for such devices because of the requirement that grant funds must result in a mitigation credit, discount, or differential, which are not provided by most insurers for such devices.<sup>39</sup>

If improvements to protect the property that complied with the applicable building code at the time they were previously installed, the association must use a mitigation grant to install improvements that do both of the following:

- Comply with or exceed the applicable building code in effect at the time the association applied for the grant; and
- Provide more protection than the improvements that the association previously installed.<sup>40</sup>

The association may not use a mitigation grant to:

- Install the same type of improvements that were previously installed; or
- Pay a deductible for a pending insurance claim for damage that is part of the property for which grant funds are being received.<sup>41</sup>

### ***Contract Management***

The DFS is charged with developing a process that ensures the most efficient means to collect and verify grant applications to determine eligibility and may direct hurricane mitigation inspectors to collect and verify grant application information or use the Internet or other electronic means to collect information and determine eligibility.<sup>42</sup> The DFS may contract with third parties for grant management, inspection services, contractor services, information technology, educational outreach, and auditing services.<sup>43</sup> Such contracts are considered direct costs of the program and are not subject to administrative cost limits.<sup>44</sup> Such contracts must be with providers that have a demonstrated record of successful business operations in areas directly related to the services to be provided and must ensure the highest accountability for use of state funds.<sup>45</sup>

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<sup>38</sup> Section 215.55871(2)(c), F.S.

<sup>39</sup> Section 215.55871(5)(e), F.S.

<sup>40</sup> Section 215.55871(5)(g), F.S.

<sup>41</sup> Section 215.55871(5)(h), F.S.

<sup>42</sup> Section 215.55871(5)(i), F.S.

<sup>43</sup> Section 215.55871(6)(a), F.S.

<sup>44</sup> *Id.*

<sup>45</sup> *Id.*

The DFS is required to implement a quality assurance and reinspection program that determines whether initial inspections and mitigation improvements are completed in a manner consistent with the intent of the program.<sup>46</sup> The DFS may use a valid random sampling in order to perform the quality assurance portion of the program.<sup>47</sup>

### ***Reports***

By February 1 of each year, the DFS must submit a report to the President of the Senate and the Speaker of the House of Representatives on the activities of the program and the use of state funds.<sup>48</sup> The report must include:

- The number of inspections requested;
- The number of inspections performed;
- The number of grant applications received;
- The number of grants approved and the monetary value of each grant;
- The estimated average annual amount of insurance premium discounts each association received and the total estimated annual amount of insurance premium discounts received by all associations participating in the program; and
- The estimated average annual amount of insurance premium discounts each unit owner received as a result of the improvements to the building or structure.<sup>49</sup>

### ***Requests for Information***

During the application process, the DFS may request an applicant provide additional information.<sup>50</sup> If the DFS does not receive a response for additional information from the applicant within 60 days after the applicant is notified of the error or omission, the application is deemed withdrawn by the applicant.<sup>51</sup>

### ***Rulemaking Authority***

The DFS is authorized to adopt rules pursuant to ss. 120.536(1) and 120.54, F.S., to implement the program.<sup>52</sup>

## **III. Effect of Proposed Changes:**

SB 1706 revises the eligibility requirements for participation in the program and by revising the requirements for how a mitigation grant must be used.

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<sup>46</sup> Section 215.55871(6)(b), F.S.

<sup>47</sup> *Id.*

<sup>48</sup> Section 215.55871(7), F.S.

<sup>49</sup> *Id.*

<sup>50</sup> Section 215.55871(8), F.S.

<sup>51</sup> *Id.*

<sup>52</sup> Section 215.55871(9), F.S.

### **Pilot Program Participation Requirements**

The bill expands the scope of the program statewide by eliminating the requirement that eligible condominium property must be within 15 miles inward of a coastline. However, the bill restricts participation to condominium associations in which:

- The structures or buildings on the condominium property were constructed before January 1, 2008, and
- At least 80 percent of the occupied units within the condominium property are owned and occupied by a person or family whose household annual income is at or below 80 percent of the area median income, adjusted for household size, applicable to the county in which the condominium is located.

The bill provides that in determining whether the new 80 percent income threshold requirement is satisfied:

- “Area median income” means the median household income, as published annually by the United States Department of Housing and Urban Development, for the county in which the condominium property is located.
- Only occupied units may be counted.
- Owner-occupied residential units may be counted only if the persons or families living in such units provide income documentation to the DFS and the DFS verifies that such person or family meets the income requirements.
- A condominium property with mixed-income occupancies is eligible to participate in the pilot program if the income threshold is met.
- The DFS may adopt rules establishing acceptable methods for verifying household income, which may include owner-self certification, tax returns, income statements, or other documentation the DFS deems sufficient.

### **Pilot Program Grant Usage Requirements**

The bill specifies that program grant funds must be used only for a mitigation improvement that addresses the common elements of the condominium property.

The bill deletes the requirement that grant funds must be used for mitigation improvements that will result in a mitigation credit, discount, or other rate differential for the building or structure to which the improvement is made. The bill instead requires that an association receiving a grant must complete 100 percent of the opening protection improvements to the common elements which were recommended in the final hurricane mitigation inspection report. Given that mitigation credits generally are only awarded if all openings are hurricane resistant, this new requirement should have the same effect as under current law, to ensure that mitigation grants harden the structure against hurricane risk.

The bill also allows mitigation grants to be awarded for water intrusion mitigation devices, which generally do not result in mitigation credits.

**Effective Date**

Section 2 provides an effective date of July 1, 2026.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

None.

**E. Other Constitutional Issues:**

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 215.55871 of the Florida Statutes.

**IX. Additional Information:**

**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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