

By Senator Pizzo

37-01529A-26

20261706\_\_

A bill to be entitled  
An act relating to the My Safe Florida Condominium  
Pilot Program; amending s. 215.55871, F.S.; defining  
the term "area median income"; deleting the definition  
of the term "service area"; revising definitions;  
revising eligibility requirements for participation in  
the My Safe Florida Condominium Pilot Program;  
requiring the Department of Financial Services to  
adopt rules to verify household income; authorizing  
the department to require periodic recertification;  
specifying that condominium property with mixed-income  
occupancies is eligible to participate in the pilot  
program under certain circumstances; requiring that an  
application for a mitigation grant include  
documentation to verify household income; limiting the  
award of grant funds; requiring an association to  
complete a certain percentage of opening protection  
improvements; providing an effective date.

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

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

215.55871 My Safe Florida Condominium Pilot Program.—There  
is established within the Department of Financial Services the  
My Safe Florida Condominium Pilot Program to be implemented  
pursuant to appropriations. The department shall provide fiscal  
accountability, contract management, and strategic leadership

37-01529A-26

20261706\_\_

for the pilot program, consistent with this section. This section does not create an entitlement for associations or unit owners or obligate the state in any way to fund the inspection or retrofitting of condominiums in the state. Implementation of this pilot program is subject to annual legislative appropriations. It is the intent of the Legislature that the My Safe Florida Condominium Pilot Program provide licensed inspectors to perform inspections for and grants to eligible associations as funding allows.

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

(a) "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.

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

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

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

(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~~

37-01529A-26

20261706\_\_

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 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. Eligibility must be determined using the area median income published at the time an application is submitted. For purposes of determining whether a condominium association meets the 80 percent unit-occupied threshold:

a. Only occupied residential units may be counted.

b. Owner-occupied residential units may be counted as long as the persons or families living in such residential units provide income documentation to the department and the

37-01529A-26

20261706\_\_

department has verified that such person or family meets the income requirements of this subparagraph.

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

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

(c) A condominium property with mixed-income occupancies is eligible to participate in the pilot program under this section if the income threshold in subparagraph (a)2. is met.

(d) ~~(b)~~ In order to apply for an inspection under subsection (4) or a grant under subsection (5) for association property or condominium property, an 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 to participate in the pilot program. An association may not apply for an inspection under subsection (4) or a grant under subsection (5) for association property or condominium property unless the association has complied with the inspection requirements in ss. 553.899 and 718.112(2)(g) and (h). An association may not apply for a grant under subparagraph (5)(e)1. for association property or condominium property unless the windows of the association property or condominium property are established as common

37-01529A-26

20261706\_\_

elements in the declaration.

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

1. 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 inspection.

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

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

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

37-01529A-26

20261706\_\_

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

(a) An application for a mitigation grant must:

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) (e) ~~(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

37-01529A-26

20261706\_\_

175 ~~receiving~~ awarding a grant, the association ~~department~~ must  
176 complete 100 percent of the opening protection improvements to  
177 the common elements which were recommended in the final  
178 hurricane mitigation inspection report ~~require mitigation~~  
179 ~~improvements to be made to all openings,~~ including exterior  
180 doors, garage doors, windows, and skylights that are a part of  
181 the common elements, ~~if doing so is necessary for the building~~  
182 ~~or structure to qualify for a mitigation credit, discount, or~~  
183 ~~other rate differential.~~

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