

By Senator Pizzo

37-01529A-26

20261706

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

22 Section 1. Subsections (1) and (2) and paragraphs (a) and
23 (j) of subsection (5) of section 215.55871, Florida Statutes,
24 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

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

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

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

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

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

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

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

37-01529A-26

20261706

59 ~~located in the service area.~~

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

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

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

67 376.031.

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

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

70 (2) PARTICIPATION.—

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

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

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

84 a. Only occupied residential units may be counted.

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

37-01529A-26

20261706

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

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

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

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

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

37-01529A-26

20261706

117 elements in the declaration.

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

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

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

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

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

37-01529A-26

20261706

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

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

151 1. Contain a signed or electronically verified statement
152 made under penalty of perjury by the president of the board of
153 administration that the association has submitted only a single
154 application for each property that the association operates or
155 maintains.

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

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

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

170 (j) Grant funds may only be awarded for a mitigation
171 improvement that addresses the common elements of the
172 condominium property that will result in a mitigation credit,
173 discount, or other rate differential for the building or
174 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.