

26 rebuilds; requiring the Department of Financial
 27 Services to develop a process that ensures the most
 28 efficient means to collect and verify inspection
 29 applications; requiring the department to prioritize
 30 the review and approval of inspection and grant
 31 applications in a specified order; requiring the
 32 department to start accepting inspection and grant
 33 applications as specified in the act; requiring
 34 homeowners to finalize construction and make certain
 35 requests within a specified time; providing that an
 36 application is deemed abandoned under certain
 37 circumstances; authorizing the department to request
 38 certain information; providing that an application is
 39 considered withdrawn under certain circumstances;
 40 revising provisions relating to the development of
 41 brochures; requiring the Citizens Property Insurance
 42 Corporation to distribute such brochures to specified
 43 persons; providing appropriations; requiring funds to
 44 be used for certain costs; prohibiting the department
 45 from taking certain actions; providing an effective
 46 date.

47

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

49

50 Section 1. Section 215.5586, Florida Statutes, as amended

51 | by section 5 of chapter 2023-349, Laws of Florida, is amended to
 52 | read:

53 | 215.5586 My Safe Florida Home Program.—There is
 54 | established within the Department of Financial Services the My
 55 | Safe Florida Home Program. The department shall provide fiscal
 56 | accountability, contract management, and strategic leadership
 57 | for the program, consistent with this section. This section does
 58 | not create an entitlement for property owners or obligate the
 59 | state in any way to fund the inspection or retrofitting of
 60 | residential property in this state. Implementation of this
 61 | program is subject to annual legislative appropriations. It is
 62 | the intent of the Legislature that, subject to the availability
 63 | of funds, the My Safe Florida Home Program provide licensed
 64 | inspectors to perform hurricane mitigation inspections of
 65 | eligible homes ~~for owners of site-built, single-family,~~
 66 | ~~residential properties~~ and grants to fund hurricane mitigation
 67 | projects on those homes ~~eligible applicants~~. The department
 68 | shall implement the program in such a manner that the total
 69 | amount of funding requested by accepted applications, whether
 70 | for inspections, grants, or other services or assistance, does
 71 | not exceed the total amount of available funds. If, after
 72 | applications are processed and approved, funds remain available,
 73 | the department may accept applications up to the available
 74 | amount. The program shall develop and implement a comprehensive
 75 | and coordinated approach for hurricane damage mitigation

76 pursuant to that may include the requirements provided in this
77 section. following:

78 (1) HURRICANE MITIGATION INSPECTIONS.—

79 (a) To be eligible for a hurricane mitigation inspection
80 under the program:

81 1. A home must be a single-family, detached residential
82 property or a townhouse as defined in s. 481.203;

83 2. A home must be site-built and owner-occupied; and

84 3. The homeowner must have been granted a homestead
85 exemption on the home under chapter 196.

86 (b)1. An application for a hurricane mitigation inspection
87 must contain a signed or electronically verified statement made
88 under penalty of perjury that the applicant has submitted only
89 one inspection application on the home or that the application
90 is allowed under subparagraph 2., and the application must have
91 documents attached which demonstrate that the applicant meets
92 the requirements of paragraph (a).

93 2. An applicant may submit a subsequent hurricane
94 mitigation inspection application for the same home only if:

95 a. The original hurricane mitigation inspection
96 application has been denied or withdrawn because of errors or
97 omissions in the application;

98 b. The original hurricane mitigation inspection
99 application was denied or withdrawn because the home did not
100 meet the eligibility criteria for an inspection at the time of

101 the previous application, and the homeowner reasonably believes
102 the home now is eligible for an inspection; or
103 c. The program's eligibility requirements for an
104 inspection have changed since the original application date, and
105 the applicant reasonably believes the home is eligible under the
106 new requirements.

107 (c) An applicant meeting the requirements of paragraph (a)
108 may receive an inspection of a home under the program without
109 being eligible for a grant under subsection (2) or applying for
110 such grant.

111 (d) Licensed inspectors are to provide home inspections of
112 eligible homes ~~site-built, single-family, residential properties~~
113 ~~for which a homestead exemption has been granted,~~ to determine
114 what mitigation measures are needed, what insurance premium
115 discounts may be available, and what improvements to existing
116 residential properties are needed to reduce the property's
117 vulnerability to hurricane damage. An inspector may inspect a
118 townhouse as defined in s. 481.203 to determine if opening
119 protection mitigation as listed in subparagraph (2) (e)1.
120 ~~paragraph (2) (e)~~ would provide improvements to mitigate
121 hurricane damage.

122 (e)-(b) The department of ~~Financial Services~~ shall contract
123 with wind certification entities to provide hurricane mitigation
124 inspections. The inspections provided to homeowners, at a
125 minimum, must include:

126 1. A home inspection and report that summarizes the
 127 results and identifies recommended improvements a homeowner may
 128 take to mitigate hurricane damage.

129 2. A range of cost estimates regarding the recommended
 130 mitigation improvements.

131 3. Information regarding estimated premium discounts,
 132 correlated to the current mitigation features and the
 133 recommended mitigation improvements identified by the
 134 inspection.

135 (f)~~(e)~~ To qualify for selection by the department as a
 136 wind certification entity to provide hurricane mitigation
 137 inspections, the entity must, at a minimum, meet the following
 138 requirements:

139 1. Use hurricane mitigation inspectors who are licensed or
 140 certified as:

- 141 a. A building inspector under s. 468.607;
- 142 b. A general, building, or residential contractor under s.
 143 489.111;
- 144 c. A professional engineer under s. 471.015;
- 145 d. A professional architect under s. 481.213; or
- 146 e. A home inspector under s. 468.8314 and who have
 147 completed at least 3 hours of hurricane mitigation training
 148 approved by the Construction Industry Licensing Board, which
 149 training must include hurricane mitigation techniques,
 150 compliance with the uniform mitigation verification form, and

151 completion of a proficiency exam.

152 2. Use hurricane mitigation inspectors who also have
153 undergone drug testing and a background screening. The
154 department may conduct criminal record checks of inspectors used
155 by wind certification entities. Inspectors must submit a set of
156 fingerprints to the department for state and national criminal
157 history checks and must pay the fingerprint processing fee set
158 forth in s. 624.501. The fingerprints must be sent by the
159 department to the Department of Law Enforcement and forwarded to
160 the Federal Bureau of Investigation for processing. The results
161 must be returned to the department for screening. The
162 fingerprints must be taken by a law enforcement agency,
163 designated examination center, or other department-approved
164 entity.

165 3. Provide a quality assurance program including a
166 reinspection component.

167 ~~(d) An application for an inspection must contain a signed~~
168 ~~or electronically verified statement made under penalty of~~
169 ~~perjury that the applicant has submitted only a single~~
170 ~~application for that home.~~

171 ~~(e) The owner of a site-built, single-family, residential~~
172 ~~property or townhouse as defined in s. 481.203, for which a~~
173 ~~homestead exemption has been granted, may apply for and receive~~
174 ~~an inspection without also applying for a grant pursuant to~~
175 ~~subsection (2) and without meeting the requirements of paragraph~~

176 ~~(2)(a).~~

177 (2) HURRICANE MITIGATION GRANTS.—Financial grants shall be
 178 used by homeowners to make improvements recommended by an
 179 inspection which increase resistance ~~encourage single-family,~~
 180 ~~site-built, owner-occupied, residential property owners to~~
 181 ~~retrofit their properties to make them less vulnerable to~~
 182 hurricane damage.

183 (a) ~~For~~ A homeowner is to be eligible for a hurricane
 184 mitigation grant if all of, the following criteria are ~~must be~~
 185 met:

186 1. The home must be eligible for an inspection under
 187 subsection (1) ~~The homeowner must have been granted a homestead~~
 188 ~~exemption on the home under chapter 196.~~

189 2. The home must be a dwelling with an insured value of
 190 \$700,000 or less. Homeowners who are low-income persons, as
 191 defined in s. 420.0004(11), are exempt from this requirement.

192 3. The home must undergo an acceptable hurricane
 193 mitigation inspection as provided in subsection (1).

194 4. The building permit application for initial
 195 construction of the home must have been made before January 1,
 196 2008.

197 5. The homeowner must agree to make his or her home
 198 available for inspection once a mitigation project is completed.

199 6. The homeowner must agree to provide to the department
 200 information received from the homeowner's insurer identifying

201 the discounts realized by the homeowner because of the
202 mitigation improvements funded through the program.

203 (b)1. An application for a grant must contain a signed or
204 electronically verified statement made under penalty of perjury
205 that the applicant has submitted only one grant ~~a single~~
206 application or that the application is allowed under
207 subparagraph 2., and the application must have ~~attached~~
208 documents attached demonstrating that the applicant meets the
209 requirements of ~~this~~ paragraph (a).

210 2. An applicant may submit a subsequent grant application
211 if:

212 a. The original grant application was denied or withdrawn
213 because the application contained errors or omissions;

214 b. The original grant application was denied or withdrawn
215 because the home did not meet the eligibility criteria for a
216 grant at the time of the previous application, and the homeowner
217 reasonably believes that the home now is eligible for a grant;
218 or

219 c. The program's eligibility requirements for a grant have
220 changed since the original application date, and the applicant
221 reasonably believes that he or she is an eligible homeowner
222 under the new requirements.

223 3. A grant application must include a statement from the
224 homeowner which contains the name and state license number of
225 the contractor that the homeowner acknowledges as the intended

226 contractor for the mitigation work. The program must
 227 electronically verify that the contractor's state license number
 228 is accurate and up to date before grant approval.

229 (c)~~(b)~~ All grants must be matched on the basis of \$1
 230 provided by the applicant for \$2 provided by the state up to a
 231 maximum state contribution of \$10,000 toward the actual cost of
 232 the mitigation project, except as provided in paragraph (h).

233 (d)~~(c)~~ ~~The program shall create a process in which~~
 234 ~~contractors agree to participate and homeowners select from a~~
 235 ~~list of participating contractors.~~ All hurricane mitigation
 236 performed under the program must be based upon the securing of
 237 all required local permits and inspections and must be performed
 238 by properly licensed contractors. ~~Hurricane mitigation~~
 239 ~~inspectors qualifying for the program may also participate as~~
 240 ~~mitigation contractors as long as the inspectors meet the~~
 241 ~~department's qualifications and certification requirements for~~
 242 ~~mitigation contractors.~~

243 ~~(d)~~ ~~Matching fund grants shall also be made available to~~
 244 ~~local governments and nonprofit entities for projects that will~~
 245 ~~reduce hurricane damage to single-family, site-built, owner-~~
 246 ~~occupied, residential property. The department shall liberally~~
 247 ~~construe those requirements in favor of availing the state of~~
 248 ~~the opportunity to leverage funding for the My Safe Florida Home~~
 249 ~~Program with other sources of funding.~~

250 (e) When recommended by a hurricane mitigation inspection,

251 grants for eligible homes may be used for the following
252 improvements:

253 1. Opening protection, including exterior doors, garage
254 doors, windows, and skylights.

255 2. ~~Exterior doors, including garage doors.~~

256 3. Reinforcing roof-to-wall connections.

257 3.4. Improving the strength of roof-deck attachments.

258 4.5. Secondary water resistance barrier for roof.

259 (f) When recommended by a hurricane mitigation inspection,
260 grants for townhouses, as defined in s. 481.203, may only be
261 used for opening protection.

262 (g) The department may require that improvements be made
263 to all openings, including exterior doors, and garage doors,
264 windows, and skylights, as a condition of reimbursing a
265 homeowner approved for a grant. The department may adopt, by
266 rule, the maximum grant allowances for any improvement allowable
267 under paragraph (e) or paragraph (f) ~~this paragraph.~~

268 ~~(g) Grants may be used on a previously inspected existing~~
269 ~~structure or on a rebuild. A rebuild is defined as a site-built,~~
270 ~~single-family dwelling under construction to replace a home that~~
271 ~~was destroyed or significantly damaged by a hurricane and deemed~~
272 ~~unlivable by a regulatory authority. The homeowner must be a~~
273 ~~low-income homeowner as defined in paragraph (h), must have had~~
274 ~~a homestead exemption for that home before the hurricane, and~~
275 ~~must be intending to rebuild the home as that homeowner's~~

276 ~~homestead.~~

277 (h) Low-income homeowners, as defined in s. 420.0004(11),
278 who otherwise meet the applicable requirements of this
279 subsection ~~paragraphs (a), (c), (e), and (g)~~ are eligible for a
280 grant of up to \$10,000 and are not required to provide a
281 matching amount to receive the grant. ~~The program may accept a~~
282 ~~certification directly from a low-income homeowner that the~~
283 ~~homeowner meets the requirements of s. 420.0004(11) if the~~
284 ~~homeowner provides such certification in a signed or~~
285 ~~electronically verified statement made under penalty of perjury.~~

286 (i)1. The department shall develop a process that ensures
287 the most efficient means to collect and verify inspection
288 applications and grant applications to determine eligibility.
289 The department ~~and~~ may direct hurricane mitigation inspectors to
290 collect and verify grant application information or use the
291 Internet or other electronic means to collect information and
292 determine eligibility.

293 2. The department shall prioritize the review and approval
294 of such inspection applications and grant applications in the
295 following order:

296 a. First, applications from low-income persons, as defined
297 in s. 420.0004, who are at least 60 years old;

298 b. Second, applications from all other low-income persons,
299 as defined in s. 420.0004;

300 c. Third, applications from moderate-income persons, as

301 defined in s. 420.0004, who are at least 60 years old;
 302 d. Fourth, applications from all other moderate-income
 303 persons, as defined in s. 420.0004; and
 304 e. Last, all other applications.
 305 3. The department shall start accepting inspection
 306 applications and grant applications no earlier than the
 307 effective date of a legislative appropriation funding
 308 inspections and grants, as follows:
 309 a. Initially, from applicants prioritized under sub-
 310 subparagraph 2.a.;
 311 b. From applicants prioritized under sub-subparagraph
 312 2.b., beginning 15 days after the program initially starts
 313 accepting applications;
 314 c. From applicants prioritized under sub-subparagraph
 315 2.c., beginning 30 days after the program initially starts
 316 accepting applications;
 317 d. From applicants described in sub-subparagraph 2.d.,
 318 beginning 45 days after the program initially starts accepting
 319 applications; and
 320 e. From all other applicants, beginning 60 days after the
 321 program initially starts accepting applications.
 322 4. The program may accept a certification directly from a
 323 low-income homeowner or moderate-income homeowner who meets the
 324 requirements of s. 420.0004(11) or (12), respectively, if the
 325 homeowner provides such certification in a signed or

326 electronically verified statement made under penalty of perjury.

327 (j) A homeowner who receives a grant shall finalize
328 construction and request a final inspection, or request an
329 extension for an additional 6 months, within 1 year after grant
330 approval. If a homeowner fails to comply with this paragraph,
331 his or her application is deemed abandoned and the grant money
332 reverts to the department.

333 (3) REQUESTS FOR INFORMATION.—The department may request
334 that an applicant provide additional information. An application
335 is deemed withdrawn by the applicant if the department does not
336 receive a response to its request for additional information
337 within 60 days after the notification of any apparent error or
338 omission.

339 (4) EDUCATION, CONSUMER AWARENESS, AND OUTREACH.—

340 (a) The department may undertake a statewide multimedia
341 public outreach and advertising campaign to inform consumers of
342 the availability and benefits of hurricane inspections and of
343 the safety and financial benefits of residential hurricane
344 damage mitigation. The department may seek out and use local,
345 state, federal, and private funds to support the campaign.

346 (b) The program may develop brochures for distribution to
347 Citizens Property Insurance Corporation and other licensed
348 entities or nonprofits that work with the department to educate
349 the public on the benefits of the program, ~~general contractors,~~
350 ~~roofing contractors, and real estate brokers and sales~~

351 ~~associates who are licensed under part I of chapter 475 which~~
352 ~~provide information on the benefits to homeowners of residential~~
353 ~~hurricane damage mitigation.~~ Citizens Property Insurance
354 Corporation must ~~is encouraged to~~ distribute the brochure to
355 policyholders of the corporation each year the program is
356 funded. ~~Contractors are encouraged to distribute the brochures~~
357 ~~to homeowners at the first meeting with a homeowner who is~~
358 ~~considering contracting for home or roof repair or contracting~~
359 ~~for the construction of a new home. Real estate brokers and~~
360 ~~sales associates are encouraged to distribute the brochure to~~
361 ~~clients before the purchase of a home.~~ The brochures may be made
362 available electronically.

363 (5)-(4) FUNDING.—The department may seek out and leverage
364 local, state, federal, or private funds to enhance the financial
365 resources of the program.

366 (6)-(5) RULES.—The department ~~of Financial Services~~ shall
367 adopt rules pursuant to ss. 120.536(1) and 120.54 to govern the
368 program; implement the provisions of this section; including
369 rules governing hurricane mitigation inspections and grants,
370 mitigation contractors, and training of inspectors and
371 contractors; and carry out the duties of the department under
372 this section.

373 (7)-(6) HURRICANE MITIGATION INSPECTOR LIST.—The department
374 shall develop and maintain as a public record a current list of
375 hurricane mitigation inspectors authorized to conduct hurricane

376 mitigation inspections pursuant to this section.

377 (8)~~(7)~~ CONTRACT MANAGEMENT.—

378 (a) The department may contract with third parties for
 379 grants management, inspection services, contractor services for
 380 low-income homeowners, information technology, educational
 381 outreach, and auditing services. Such contracts are considered
 382 direct costs of the program and are not subject to
 383 administrative cost limits. The department shall contract with
 384 providers that have a demonstrated record of successful business
 385 operations in areas directly related to the services to be
 386 provided and shall ensure the highest accountability for use of
 387 state funds, consistent with this section.

388 (b) The department shall implement a quality assurance and
 389 reinspection program that determines whether initial inspections
 390 and home improvements are completed in a manner consistent with
 391 the intent of the program. The department may use valid random
 392 sampling in order to perform the quality assurance portion of
 393 the program.

394 (9)~~(8)~~ INTENT.—It is the intent of the Legislature that
 395 grants made to residential property owners under this section
 396 shall be considered disaster-relief assistance within the
 397 meaning of s. 139 of the Internal Revenue Code of 1986, as
 398 amended.

399 (10)~~(9)~~ REPORTS.—The department shall make an annual
 400 report on the activities of the program that shall account for

401 the use of state funds and indicate the number of inspections
 402 requested, the number of inspections performed, the number of
 403 grant applications received, the number and value of grants
 404 approved, and the estimated average annual amount of insurance
 405 premium discounts and total estimated annual amount of insurance
 406 premium discounts homeowners received from insurers as a result
 407 of mitigation funded through the program. The report must be
 408 delivered to the President of the Senate and the Speaker of the
 409 House of Representatives by February 1 of each year.

410 Section 2. For the 2024-2025 fiscal year, the sum of \$225
 411 million in nonrecurring funds is appropriated from the General
 412 Revenue Fund to the Department of Financial Services for the My
 413 Safe Florida Home Program. The funds shall be utilized for
 414 hurricane mitigation grants, hurricane mitigation inspections,
 415 and outreach and administrative costs. The department may not
 416 continue to accept applications or create a waiting list in
 417 anticipation of additional funding unless the Legislature
 418 provides expressed authority to implement such actions.

419 Section 3. This act shall take effect July 1, 2024.