

By the Committee on Banking and Insurance

597-02168-24

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1 A bill to be entitled
2 An act relating to the My Safe Florida Home Program;
3 amending s. 215.5586, F.S.; revising legislative
4 intent; specifying eligibility requirements for
5 hurricane mitigation inspections under the program;
6 specifying requirements for a hurricane mitigation
7 inspection application; authorizing an applicant to
8 submit a subsequent hurricane mitigation inspection
9 application under certain conditions; authorizing the
10 Department of Financial Services to request certain
11 information; providing that an application is
12 considered withdrawn under certain circumstances;
13 authorizing an applicant to receive a home inspection
14 under the program without being eligible for a grant
15 or applying for a grant; specifying eligibility
16 requirements for hurricane mitigation grants; revising
17 application requirements for hurricane mitigation
18 grants; authorizing an applicant to submit a
19 subsequent hurricane mitigation grant application
20 under certain conditions; authorizing the department
21 to request certain information; providing that an
22 application is considered withdrawn under certain
23 circumstances; deleting and revising provisions
24 relating to the selection of hurricane mitigation
25 inspectors and contractors; authorizing, rather than
26 requiring, matching fund grants to be made available
27 to certain entities; revising the improvements for
28 which grants may be used; requiring the department to
29 develop a process that ensures the most efficient

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30 means to collect and verify inspection applications;
31 requiring the department, for a specified timeframe,
32 to prioritize applications in a specified order;
33 revising provisions regarding the development of
34 brochures; requiring the Citizens Property Insurance
35 Corporation to distribute such brochures to specified
36 persons; providing appropriations; providing an
37 effective date.

38
39 Be It Enacted by the Legislature of the State of Florida:

40
41 Section 1. Section 215.5586, Florida Statutes, as amended
42 by section 5 of chapter 2023-349, Laws of Florida, is amended to
43 read:

44 215.5586 My Safe Florida Home Program.—There is established
45 within the Department of Financial Services the My Safe Florida
46 Home Program. The department shall provide fiscal
47 accountability, contract management, and strategic leadership
48 for the program, consistent with this section. This section does
49 not create an entitlement for property owners or obligate the
50 state in any way to fund the inspection or retrofitting of
51 residential property in this state. Implementation of this
52 program is subject to annual legislative appropriations. It is
53 the intent of the Legislature that, subject to the availability
54 of funds, the My Safe Florida Home Program provide licensed
55 inspectors to perform hurricane mitigation inspections of
56 eligible homes ~~for owners of site-built, single-family,~~
57 ~~residential properties~~ and grants to eligible fund hurricane
58 mitigation projects on those homes ~~applicants~~. The department

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59 shall implement the program in such a manner that the total
60 amount of funding requested by accepted applications, whether
61 for inspections, grants, or other services or assistance, does
62 not exceed the total amount of available funds. If, after
63 applications are processed and approved, funds remain available,
64 the department may accept applications up to the available
65 amount. The program shall develop and implement a comprehensive
66 and coordinated approach for hurricane damage mitigation
67 pursuant to that may include the following requirements provided
68 in this section.÷

69 (1) HURRICANE MITIGATION INSPECTIONS.-

70 (a) To be eligible for an inspection under the program:

71 1. A home must be a single-family, site-built, detached
72 residential property or a townhouse as defined in s. 481.203;
73 and

74 2. The homeowner must have been granted a homestead
75 exemption on the home under chapter 196.

76 (b)1. An application for an inspection must contain a
77 signed or electronically verified statement made under penalty
78 of perjury that the applicant has submitted only one inspection
79 application on the home or that the application is allowed under
80 subparagraph 2., and must have documents attached to the
81 application which demonstrate that the applicant meets the
82 requirements of paragraph (a).

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

85 a. The original hurricane mitigation inspection application
86 has been denied or withdrawn because of errors or omissions in
87 the application;

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88 b. The original hurricane mitigation inspection application
89 was denied or withdrawn because the home did not meet the
90 eligibility criteria for an inspection at the time of the
91 previous application, and the homeowner reasonably believes the
92 home now is eligible for an inspection; or

93 c. The program's eligibility requirements for an inspection
94 have changed since the original application date, and the
95 applicant reasonably believes the home is eligible under the new
96 requirements.

97 3. The department may request that the applicant provide
98 additional information if the application contains apparent
99 errors or omissions. An application is considered withdrawn by
100 the applicant if the department does not receive a response to
101 its request for additional information within 60 days after the
102 department notifies the applicant of any apparent errors or
103 omissions.

104 (c) An applicant meeting the requirements of this
105 subsection may receive an inspection of a home under the program
106 without being eligible for a grant under subsection (2) or
107 applying for such grant.

108 (d) Licensed inspectors are to provide home inspections of
109 homes meeting the requirements of this subsection ~~site-built,~~
110 ~~single-family, residential properties for which a homestead~~
111 ~~exemption has been granted,~~ to determine what mitigation
112 measures are needed, what insurance premium discounts may be
113 available, and what improvements to existing residential
114 properties are needed to reduce the property's vulnerability to
115 hurricane damage. An inspector may inspect a townhouse as
116 defined in s. 481.203 to determine if opening protection

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117 mitigation as listed in subparagraph (2) (f) 1. ~~paragraph (2) (e)~~
118 would provide improvements to mitigate hurricane damage.

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

123 1. A home inspection and report that summarizes the results
124 and identifies recommended improvements a homeowner may take to
125 mitigate hurricane damage.

126 2. A range of cost estimates regarding the recommended
127 mitigation improvements.

128 3. Information regarding estimated premium discounts,
129 correlated to the current mitigation features and the
130 recommended mitigation improvements identified by the
131 inspection.

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

136 1. Use hurricane mitigation inspectors who are licensed or
137 certified as:

138 a. A building inspector under s. 468.607;

139 b. A general, building, or residential contractor under s.
140 489.111;

141 c. A professional engineer under s. 471.015;

142 d. A professional architect under s. 481.213; or

143 e. A home inspector under s. 468.8314 and who have
144 completed at least 3 hours of hurricane mitigation training
145 approved by the Construction Industry Licensing Board, which

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146 training must include hurricane mitigation techniques,
147 compliance with the uniform mitigation verification form, and
148 completion of a proficiency exam.

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

162 3. Provide a quality assurance program including a
163 reinspection component.

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

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

174 (2) HURRICANE MITIGATION GRANTS.—Financial grants shall be

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175 used by homeowners ~~to encourage single family, site built,~~
176 ~~owner occupied, residential property owners~~ to make improvements
177 recommended by an inspection which increase resistance retrofit
178 ~~their properties to make them less vulnerable~~ to hurricane
179 damage.

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

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

186 2. The home must be a dwelling with an insured value of
187 \$700,000 or less. Homeowners who are low-income persons, as
188 defined in s. 420.0004(11), are exempt from this requirement.

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

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

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

195 6. The homeowner must agree to provide to the department
196 information received from the homeowner's insurer identifying
197 the discounts realized by the homeowner because of the
198 mitigation improvements funded through the program.

199 (b)1. An application for a grant must contain a signed or
200 electronically verified statement made under penalty of perjury
201 that the applicant has submitted only one grant ~~a single~~
202 application or that the application is allowed under
203 subparagraph 2., and must have ~~attached~~ documents attached

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204 demonstrating the applicant meets the requirements of ~~this~~
205 paragraph (a).

206 2. An applicant may submit a subsequent grant application
207 if:

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

210 b. The original grant application was denied or withdrawn
211 because the home did not meet the eligibility criteria for a
212 grant at the time of the previous application, and the homeowner
213 reasonably believes that the home now is eligible for a grant;

214 or

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

219 3. The department may request that the applicant provide
220 additional information if the application contains apparent
221 errors or omissions. An application is considered withdrawn by
222 the applicant if the department does not receive a response to
223 its request for additional information within 60 days after the
224 department notifies the applicant of any apparent errors or
225 omissions.

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

230 (d) ~~(e)~~ The program shall create a process in which
231 contractors agree to participate and homeowners select from a
232 list of participating contractors. All hurricane mitigation

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233 performed under the program must be based upon the securing of
234 all required local permits and inspections and must be performed
235 by properly licensed contractors. ~~Hurricane mitigation~~
236 ~~inspectors qualifying for the program may also participate as~~
237 ~~mitigation contractors as long as the inspectors meet the~~
238 ~~department's qualifications and certification requirements for~~
239 ~~mitigation contractors.~~

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

248 (f) ~~(e)~~ When recommended by a hurricane mitigation
249 inspection, grants for eligible homes may be used for the
250 following improvements:

251 1. Opening protection, including exterior doors, garage
252 doors, windows, and skylights.

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

254 3. ~~Reinforcing roof-to-wall connections.~~

255 3.4. ~~Improving the strength of roof-deck attachments.~~

256 4.5. ~~Secondary water~~ resistance barrier for roof.

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

260 (h) The department may require that improvements be made to
261 all openings, including exterior doors, ~~and~~ and garage doors,

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262 windows, and skylights, as a condition of reimbursing a
263 homeowner approved for a grant. The department may adopt, by
264 rule, the maximum grant allowances for any improvement allowable
265 under paragraph (f) or paragraph (g) ~~(e) or this paragraph.~~

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

275 (j) ~~(h)~~ Low-income homeowners, as defined in s.
276 420.0004(11), who otherwise meet the applicable requirements of
277 this subsection ~~paragraphs (a), (c), (e), and (g)~~ are eligible
278 for a grant of up to \$10,000 and are not required to provide a
279 matching amount to receive the grant. ~~The program may accept a~~
280 ~~certification directly from a low-income homeowner that the~~
281 ~~homeowner meets the requirements of s. 420.0004(11) if the~~
282 ~~homeowner provides such certification in a signed or~~
283 ~~electronically verified statement made under penalty of perjury.~~

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

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291 2. The department, for the first 60 days it accepts
292 inspection applications and grant applications after any
293 legislative appropriation funding inspections and grants, must
294 prioritize the review and approval of such 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 program may accept a certification directly from a
306 low-income homeowner or moderate-income homeowner who meets the
307 requirements of s. 420.0004(11) or s. 420.0004(12) if the
308 homeowner provides such certification in a signed or
309 electronically verified statement made under penalty of perjury.

310 (3) EDUCATION, CONSUMER AWARENESS, AND OUTREACH.—

311 (a) The department may undertake a statewide multimedia
312 public outreach and advertising campaign to inform consumers of
313 the availability and benefits of hurricane inspections and of
314 the safety and financial benefits of residential hurricane
315 damage mitigation. The department may seek out and use local,
316 state, federal, and private funds to support the campaign.

317 (b) The program may develop brochures for distribution to
318 Citizens Property Insurance Corporation and other licensed
319 entities or nonprofits that work with the department to educate

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320 ~~the public on the benefits of the program, general contractors,~~
321 ~~roofing contractors, and real estate brokers and sales~~
322 ~~associates who are licensed under part I of chapter 475 which~~
323 ~~provide information on the benefits to homeowners of residential~~
324 ~~hurricane damage mitigation.~~ Citizens Property Insurance
325 Corporation must ~~is encouraged~~ to distribute the brochure to
326 policyholders of the corporation each year the program is
327 funded. ~~Contractors are encouraged to distribute the brochures~~
328 ~~to homeowners at the first meeting with a homeowner who is~~
329 ~~considering contracting for home or roof repair or contracting~~
330 ~~for the construction of a new home. Real estate brokers and~~
331 ~~sales associates are encouraged to distribute the brochure to~~
332 ~~clients before the purchase of a home. The brochures may be made~~
333 available electronically.

334 (4) FUNDING.—The department may seek out and leverage
335 local, state, federal, or private funds to enhance the financial
336 resources of the program.

337 (5) RULES.—The department ~~of Financial Services~~ shall adopt
338 rules pursuant to ss. 120.536(1) and 120.54 to govern the
339 program; implement the provisions of this section; including
340 rules governing hurricane mitigation inspections and grants,
341 mitigation contractors, and training of inspectors and
342 contractors; and carry out the duties of the department under
343 this section.

344 (6) HURRICANE MITIGATION INSPECTOR LIST.—The department
345 shall develop and maintain as a public record a current list of
346 hurricane mitigation inspectors authorized to conduct hurricane
347 mitigation inspections pursuant to this section.

348 (7) CONTRACT MANAGEMENT.—

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349 (a) The department may contract with third parties for
350 grants management, inspection services, contractor services for
351 low-income homeowners, information technology, educational
352 outreach, and auditing services. Such contracts are considered
353 direct costs of the program and are not subject to
354 administrative cost limits. The department shall contract with
355 providers that have a demonstrated record of successful business
356 operations in areas directly related to the services to be
357 provided and shall ensure the highest accountability for use of
358 state funds, consistent with this section.

359 (b) The department shall implement a quality assurance and
360 reinspection program that determines whether initial inspections
361 and home improvements are completed in a manner consistent with
362 the intent of the program. The department may use valid random
363 sampling in order to perform the quality assurance portion of
364 the program.

365 (8) INTENT.—It is the intent of the Legislature that grants
366 made to residential property owners under this section shall be
367 considered disaster-relief assistance within the meaning of s.
368 139 of the Internal Revenue Code of 1986, as amended.

369 (9) REPORTS.—The department shall make an annual report on
370 the activities of the program that shall account for the use of
371 state funds and indicate the number of inspections requested,
372 the number of inspections performed, the number of grant
373 applications received, the number and value of grants approved,
374 and the estimated average annual amount of insurance premium
375 discounts and total estimated annual amount of insurance premium
376 discounts homeowners received from insurers as a result of
377 mitigation funded through the program. The report must be

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378 delivered to the President of the Senate and the Speaker of the
379 House of Representatives by February 1 of each year.

380 Section 2. (1) For the 2024-2025 fiscal year, the sum of
381 \$100 million in nonrecurring funds is appropriated from the
382 General Revenue Fund to the Department of Financial Services to
383 provide mitigation grants pursuant to s. 215.5586(2), Florida
384 Statutes, under the My Safe Florida Home Program. The department
385 may not continue to accept applications or to create a waiting
386 list in anticipation of additional funding unless the
387 Legislature provides express authority to implement such
388 actions.

389 (2) For the 2024-2025 fiscal year, the sum of \$7 million in
390 nonrecurring funds is appropriated from the General Revenue Fund
391 to the Department of Financial Services for administrative costs
392 related to implementation of mitigation grants pursuant to s.
393 215.5586(2), Florida Statutes, under the My Safe Florida Home
394 Program.

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