# COMMITTEE MEETING EXPANDED AGENDA

**BANKING AND INSURANCE**

**Senator Boyd, Chair**

**Senator DiCeglie, Vice Chair**

**MEETING DATE:** Tuesday, October 10, 2023  
**TIME:** 11:00 a.m.—12:30 p.m.  
**PLACE:** Pat Thomas Committee Room, 412 Knott Building  

**MEMBERS:** Senator Boyd, Chair; Senator DiCeglie, Vice Chair; Senators Broxson, Burton, Hutson, Ingoglia, Mayfield, Powell, Thompson, Torres, and Trumbull

<table>
<thead>
<tr>
<th>TAB</th>
<th>BILL NO. and INTRODUCER</th>
<th>BILL DESCRIPTION and SENATE COMMITTEE ACTIONS</th>
<th>COMMITTEE ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Presentation on the My Safe Florida Home Program by Steven Fielder, Department of Financial Services</td>
<td></td>
<td>Presented</td>
</tr>
<tr>
<td></td>
<td>Presentation on Florida's property insurance market by Michael Yaworsky, Commissioner, Office of Insurance Regulation</td>
<td></td>
<td>Presented</td>
</tr>
<tr>
<td></td>
<td>Presentation by Tim Cerio, President, Executive Director and CEO, Citizens Property Insurance Corporation</td>
<td></td>
<td>Presented</td>
</tr>
</tbody>
</table>

Other Related Meeting Documents
My Safe Florida Home Program

Senate Banking and Insurance Committee
November 10, 2023

CFO Jimmy Patronis
What is My Safe Florida Homes?

The My Safe Florida Home Program (Program) is a wind mitigation grant Program to harden single family homes against future wind damage caused by storms. Through home hardening, it is a goal of the Program to help homeowners obtain the lowest possible insurance premiums.

Two grant types:
- Matching - $2 for every $1, up to $10,000
- Low Income - No matching required, up to $10,000
My Safe Florida Home (MSFH) - Budget

- The MSFH budget (since inception):

<table>
<thead>
<tr>
<th></th>
<th>Home Inspections</th>
<th>Mitigation Grants</th>
<th>Education &amp; Consumer Awareness</th>
<th>Administration</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$25 million</td>
<td>$215 million</td>
<td>$1.3 million</td>
<td>$10.5 million</td>
</tr>
</tbody>
</table>
Program Requirements

Statutory Wind Inspection Qualifications:
• Site-built,
• Single-family,
• Residential home.
• Townhomes added 7/1/23.

Statutory Grant Qualifications:
• Homeowner must prove homestead exemption.
• Home must be a dwelling with an insured value of $700,000 or less.
• The building permit application for initial construction of the home must have been made before July 1, 2008.
What does the grant pay for?

Roof related items:
• Roof deck attachments
• Roof-to-wall connections
• Secondary water barrier for roof

Opening protection improvements:
• Hurricane impact windows and doors
• Hurricane shutters for windows and doors
The Steps

The Program follows these basic steps:

• An initial home inspection is completed to determine what areas of the home could be improved.
• Following initial inspection, the homeowner applies for a mitigation grant.
• Once approved for the grant, funds are set aside for the homeowner, pending completion of the work.
• Homeowner selects a contractor, and work can begin.
• Following completion of the work, homeowner request final inspection.
• Final inspection is completed.
• Homeowner request reimbursement and submits required receipts.
• Reimbursement is processed.
My Safe Florida Home - Administration

• The Program is wholly outsourced from an administration perspective.
• A single contractor handles the application portal, review and approval of request for inspections and grants. The contractor is responsible for all customer service and processing except actual payment.
• Four contractors used for inspection services.
• Outreach is managed in-house utilizing contractors for individual tasks.
• DFS manages the program with two dedicated employees and support from internal offices.
My Safe Florida Home - Milestones

- November 18, 2022 - first applications for home inspections.
- December 14, 2022 - first application for a mitigation grant.
- January 4, 2023 - approved the first grant.
- March 10, 2023 - first final (post construction) inspection was completed.
- March 20, 2023 - first reimbursement was processed.
MSFH – Current Statistics

As of October 6th:

- Initial home inspections approved: 92,704
- Initial home inspections completed: 79,119
- Grants applications submitted: 40,703
- Grants applications approved: 20,890
- Final home inspection completed: 4,196
- Reimbursements disbursed: $23,135,996
MSFH – Current Statistics

• Homeowners realizing a premium reduction: 1,325
• Homeowners who did not realize a premium reduction: 644
• Homeowners who saw a premium increase: 341
• No premium information provided/available: 101

An annual report will be submitted by DFS no later than February 1st in compliance with statute with statistical information about the program.
MSFH – The Future

The Program’s 24/25 Legislative Budget Request:
• Home inspections: $17.28 million
• Grants: $200 million
• Administration/Outreach: $8.5 million (Includes contractor and DFS costs.)
Questions?
The Florida Senate
APPEARANCE RECORD
Deliver both copies of this form to Senate professional staff conducting the meeting.

Meeting Date: 10/1/2023

Committee: Banking & Insurance

Name: Steven Fowler

Address: DFS

Phone: 850-591-5661

Email: steven.fowler@myflorida.com

Bill Number or Topic: 

Amendment Barcode (if applicable): 

I am appearing without compensation or sponsorship. 

Or

I am a registered lobbyist, representing: 

Or

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by: 

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This form is part of the public record for this meeting.

S-001 (08/10/2021)
Florida’s Residential Property Insurance Market

COMMISSIONER MICHAEL YAWORSKY

OCTOBER 10, 2023
Florida Office of Insurance Regulation (OIR) Overview

Mission
To promote a stable and competitive insurance market for consumers.

Vision
OIR envisions a robust and competitive insurance market while maintaining protections for the insurance-buying public.

<table>
<thead>
<tr>
<th>Department of Financial Services</th>
<th>Office of Insurance Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Insurance agents and agencies</td>
<td>• Certificates of authority</td>
</tr>
<tr>
<td>• Insurance consumer services</td>
<td>• Product review to include policy forms and rates</td>
</tr>
<tr>
<td>• Insurance fraud</td>
<td>• Market regulation</td>
</tr>
<tr>
<td>• Workers’ compensation administration</td>
<td>• Financial oversight</td>
</tr>
<tr>
<td>• Rehabilitation and liquidation</td>
<td></td>
</tr>
</tbody>
</table>
• **Senate Bill 7052 (2023)** enacted consumer protections intended to support Florida’s policyholders following a disaster and strengthened OIR’s regulatory authority.

• **House Bill 837 (2023)** modified the bad faith framework, eliminated one way attorney’s fees and fee multipliers and ensured that Floridians can’t be held liable for damages if the person suing is more at fault.

• **House Bill 799 (2023)** required OIR to conduct a wind-loss mitigation study to determine how to include wind uplift prevention to the list of windstorm mitigation measures for purposes of policyholder mitigation discounts.

• **Senate Bill 2-D (2022)** enacted pro-consumer measures to help alleviate rising insurance costs, to increase insurance claim transparency, and to crack down on frivolous lawsuits.

• **Senate Bill 2-A (2022)** eliminated one-way attorney fees for property insurance, strengthened the regulatory authority of OIR, established a new optional state reinsurance program, and required insurers to more promptly communicate, investigate, and pay valid claims.
2023 Implementation Activities

OIR Reorganization

- Appointed a Deputy Commissioner of Market Regulation
- 28 new full-time employee positions

Rule Promulgation

- The Financial Services Commission approved rules related to:
  - Financial and market conduct exam methodology
  - Notification of temporary suspension of writing new business
  - Claims handling manuals

Home Hardening

- Updating the “Uniform Mitigation Verification Inspection Form” with new building instruments and techniques that have been developed since 2008
- Exploring techniques to mitigate against perils beyond wind
New Company Admissions

OIR has approved five property & casualty insurers to enter Florida’s market this year following historic legislative reforms to strengthen Florida’s insurance market:

• Orange Insurance Exchange
• Orion180 Select Insurance Company
• Orion180 Insurance Company
• Mainsail Insurance Company
• Tailrow Insurance Company

National carriers have stated their commitment to Florida and have long-term plans to grow in the state.
Citizens Takeouts

• The Citizens takeout program was created by the Florida Legislature to reduce the number of Citizens’ insured properties and exposure.

• Requests by companies to assume Citizens’ policies has increased over 800% year over year.

• OIR has approved a total of 646,617 policies for assumption in 2023.
Admitted Property Market vs. Non-Admitted Property Market
Policies in Force (Data as of 09/11/2023)

Data is from Quarterly Supplemental Reporting (QUASR) and Florida Surplus Lines Service Office (FSLSO) and does not include State Farm for years 2014-2018 and American Coastal Insurance Company, United Property & Casualty Insurance Company, and Family Security Insurance Company for years 2017 and 2018 due to trade secret declarations.
New policies written in the admitted market

[Bar chart showing the trend of new policies written from 2009 to 2022. The y-axis represents the number of policies (0 to 2,000,000), and the x-axis represents the years from 2009 to 2022. The chart indicates a steady increase in the number of policies written over the years.]
Breakdown of a rate calculation for a residential homeowners line of business
Data is from statutory financial statements submitted to the National Association of Insurance Commissioners (NAIC). Citizens Property Insurance Corporation is not included.
2023-2024 Reinsurance

• Despite rumored 50-60% increases at the beginning of the year, companies reported the 2023 risk-adjusted change in reinsurance cost from 2022 was on average 27.03%.

• All Florida carriers were able to secure full reinsurance coverage for the 2023-2024 contract year.
The Property Claims Litigation Report is an annual data call capturing the full scope of every claim closed during the reporting year. It includes information on the claim filing, litigation, public adjuster, vendors, and associated costs.
In response to Hurricane Idalia, under the authority of Governor DeSantis’ Emergency Order, OIR issued EO 315284-23 to protect policyholders in impacted counties, effective through October 31, 2023.

**Hurricane Idalia (data as of October 5, 2023)**
- **Total Claims:** 22,763
- **Percent Claims Closed:** 60.9%

**Hurricane Ian (data as of October 9, 2023)**
- **Total Claims:** 758,644
- **Percent Claims Closed:** 90.2%
Private Flood Insurance

Insurance companies writing in the private flood insurance market are currently writing primary or excess flood insurance outside of the National Flood Insurance Program.

OIR has made the development of the private flood market a priority by:

- Streamlining form and rate filing procedures
- Encouraging company participation as flood writers
- Requiring the submission of private flood data
- As of 2022, 107,825 private flood policies were in force across the state, which is an increase of 144% from 2018.
Contact Information

Kevin Jacobs, Deputy Chief of Staff
Kevin.Jacobs@floir.com
(850) 413-5011

Stephen Marante, Deputy Government Affairs Director
Stephen.Marante@floir.com
(850) 413-2427

For more information visit www.floir.com.
**APPEARANCE RECORD**

The Florida Senate

Meeting Date

10/10/2023

Senate Banking & Insurance Committee

Name: Michael Yaworsky

Address: 200 E Gaines Street

Phone: (850) 413-3410

Email: insurancecommissioner.floir.com

**Bill Number or Topic**

**Amendment Barcode (if applicable)**

**Speaking:**
- [ ] For
- [x] Against
- [ ] Information

**Waive Speaking:**
- [ ] In Support
- [ ] Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

- [ ] I am appearing without compensation or sponsorship.
- [x] I am a registered lobbyist, representing:
  - Office of Insurance Regulation
- [ ] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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This form is part of the public record for this meeting. S-001 (08/10/2021)
## Fair Access to Insurance Requirements Plan Report

<table>
<thead>
<tr>
<th>State</th>
<th>Policies in Force</th>
<th>Exposure ($000)</th>
<th>% of Total Exposure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Florida</td>
<td>1,220,897</td>
<td>$422,953,352</td>
<td>51%</td>
</tr>
<tr>
<td>California</td>
<td>261,421</td>
<td>$209,808,071</td>
<td>25%</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>197,177</td>
<td>$90,572,584</td>
<td>11%</td>
</tr>
<tr>
<td>Louisiana</td>
<td>154,507</td>
<td>$40,935,450</td>
<td>5%</td>
</tr>
<tr>
<td>North Carolina</td>
<td>218,506</td>
<td>$33,404,590</td>
<td>4%</td>
</tr>
<tr>
<td>Texas</td>
<td>66,488</td>
<td>$11,301,744</td>
<td>1%</td>
</tr>
<tr>
<td>New York</td>
<td>23,197</td>
<td>$6,892,000</td>
<td>1%</td>
</tr>
</tbody>
</table>

Estimated 225K policies and $100M TIV in depopulation factored into 2023 projection.
FL’s Residential Market Share

Before 04/05 Storms

- Pups: 35%
- FL Based: 22%
- Others: 28%

6/30/2004

Citizens' Peak

- Pups: 14%
- Others: 18%
- FL Based: 45%
- Citizens: 23%

12/31/2011

Latest Data

- Pups: 15%
- Others: 15%
- FL Based: 54%
- Citizens: 16%

6/30/2023

Pups: FL only subsidiaries of major national writers
FL Based: FL domiciled companies where majority only write in state
Others: National writers
Commercial Lines by Residential and Non-Residential (Data as of June 30, 2023)

<table>
<thead>
<tr>
<th>Year</th>
<th>Policy Count Commercial Residential</th>
<th>Building Count</th>
<th>Premium (millions)</th>
<th>TV (millions)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007</td>
<td>28,504</td>
<td>10.000</td>
<td>$399</td>
<td>$100,085</td>
</tr>
<tr>
<td>2008</td>
<td>24,504</td>
<td>10.000</td>
<td>$399</td>
<td>$100,085</td>
</tr>
<tr>
<td>2009</td>
<td>21,504</td>
<td>10.000</td>
<td>$399</td>
<td>$100,085</td>
</tr>
<tr>
<td>2010</td>
<td>17,504</td>
<td>10.000</td>
<td>$399</td>
<td>$100,085</td>
</tr>
<tr>
<td>2011</td>
<td>20,504</td>
<td>10.000</td>
<td>$399</td>
<td>$100,085</td>
</tr>
<tr>
<td>2012</td>
<td>19,504</td>
<td>10.000</td>
<td>$399</td>
<td>$100,085</td>
</tr>
<tr>
<td>2013</td>
<td>18,504</td>
<td>10.000</td>
<td>$399</td>
<td>$100,085</td>
</tr>
<tr>
<td>2014</td>
<td>17,504</td>
<td>10.000</td>
<td>$399</td>
<td>$100,085</td>
</tr>
<tr>
<td>2015</td>
<td>16,504</td>
<td>10.000</td>
<td>$399</td>
<td>$100,085</td>
</tr>
<tr>
<td>2016</td>
<td>15,504</td>
<td>10.000</td>
<td>$399</td>
<td>$100,085</td>
</tr>
<tr>
<td>2017</td>
<td>14,504</td>
<td>10.000</td>
<td>$399</td>
<td>$100,085</td>
</tr>
<tr>
<td>2018</td>
<td>13,504</td>
<td>10.000</td>
<td>$399</td>
<td>$100,085</td>
</tr>
<tr>
<td>2019</td>
<td>12,504</td>
<td>10.000</td>
<td>$399</td>
<td>$100,085</td>
</tr>
<tr>
<td>2020</td>
<td>11,504</td>
<td>10.000</td>
<td>$399</td>
<td>$100,085</td>
</tr>
<tr>
<td>2021</td>
<td>10,504</td>
<td>10.000</td>
<td>$399</td>
<td>$100,085</td>
</tr>
</tbody>
</table>

Notes:
1. Commercial policy forms include building coverage, other structure coverage, and business personal property. Commercial non-residential multi-peril policies no longer include business income/expense coverage beginning with June 2012 renewals and May 2012 new business.
2. Excludes brokered policies.
3. Within the commercial data, commercial nonresidential earthquake (CNE) counts and policy counts, building counts are unavailable. The product was phased out during 2008, with no policies remaining in force as of 12/31/09. The commercial non-residential multi-peril program was introduced in November 2008.
These financial results are from a subset of companies that make up over half of the residential property market. The majority are FL based companies.

2nd Quarter 2023
Net Income ($240M)  Net U/W Loss ($438M)
47 companies in subset

2nd Quarter 2022
Net Income ($452M)  Net U/W Loss ($536M)
45 companies in subset

Data excludes Citizens, national carriers and Pups.
### 2023 Personal Lines Depopulation Results

<table>
<thead>
<tr>
<th>Month</th>
<th>Number of Carriers</th>
<th>OIR Approved(^1)</th>
<th>Requested by Carriers(^2)</th>
<th>Policyholder Choice Letters Mailed(^3)</th>
<th>Assumed(^4)</th>
<th>Assumption Rate(^5)</th>
<th>Exposure Removed(^6)</th>
</tr>
</thead>
<tbody>
<tr>
<td>February</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0%</td>
<td>$0</td>
</tr>
<tr>
<td>April</td>
<td>2</td>
<td>20,000</td>
<td>26,335</td>
<td>26,335</td>
<td>4,573</td>
<td>17%</td>
<td>$2,189,517,038</td>
</tr>
<tr>
<td>May</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0%</td>
<td>$0</td>
</tr>
<tr>
<td>June</td>
<td>1</td>
<td>46,218</td>
<td>18,760</td>
<td>18,760</td>
<td>17,239</td>
<td>92%</td>
<td>$7,399,907,777</td>
</tr>
<tr>
<td>August</td>
<td>2</td>
<td>26,000</td>
<td>28,826</td>
<td>27,689</td>
<td>8,836</td>
<td>32%</td>
<td>$4,265,547,864</td>
</tr>
<tr>
<td>October</td>
<td>5</td>
<td>184,000</td>
<td>363,118</td>
<td>311,310</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>November</td>
<td>7</td>
<td>202,399</td>
<td>210,001</td>
<td>179,747</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>December</td>
<td>7</td>
<td>168,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>YTD Totals</strong></td>
<td><strong>646,617</strong></td>
<td><strong>647,040</strong></td>
<td><strong>563,841</strong></td>
<td><strong>30,648</strong></td>
<td><strong>42%</strong></td>
<td><strong>$13,854,972,679</strong></td>
<td></td>
</tr>
</tbody>
</table>

\(^1\) OIR approval is maximum number of policies permitted to be assumed by carriers.

\(^2\) Sum of all policies requested by carriers, including duplicate offers from multiple carriers.

\(^3\) Total letters mailed, one (1) per policy. Multiple offers may be contained in a single mailing.

\(^4\) Policies assumed by carriers on Assumption Date.

\(^5\) Quotient of ‘Assumed’ divided by ‘Policyholder Choice Letters Mailed’.

\(^6\) Exposure Removed as of Assumption Date.

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### 2023 Commercial Lines Depopulation Results

There are no OIR approvals for participation in 2023 Commercial Lines assumptions.
For ratemaking and reserving purposes, we measure the amount of litigation with a “litigation rate” by accident year. This rate is the projected ultimate number of claims litigated divided by the total number of claims that occurred for that period. Without a doubt, that rate has been decreasing recently. Directly below are the non-cat results for all personal lines:

<table>
<thead>
<tr>
<th>Accident Year</th>
<th>Litigation %</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>21.3%</td>
</tr>
<tr>
<td>2018</td>
<td>18.5%</td>
</tr>
<tr>
<td>2019</td>
<td>17.1%</td>
</tr>
<tr>
<td>2020</td>
<td>18.0%</td>
</tr>
<tr>
<td>2021</td>
<td>17.4%</td>
</tr>
<tr>
<td>2022</td>
<td>15.2%</td>
</tr>
</tbody>
</table>

- Citizens has been experiencing a decrease in the non-cat litigation rate for several years.
- While 2023 is still immature, early signs are pointing to a significant reduction in the ultimate litigation rate for claims with a 2023 accident date.
- Through the first six months of 2023, less than 10% of non-cat personal lines were filed with an AOB. In prior years, that percentage was in the 20% to 30% range.
The Florida Senate
APPEARANCE RECORD
Deliver both copies of this form to Senate professional staff conducting the meeting.

Meeting Date: 10/10/23
Committee: Banking + Insurance
Name: Tim Cerio
Address: 2101 Maryland Circle
          Tallahassee, FL
Phone: (850) 513.3757
Email: tim.cerio@citizensfla.com

Speaking: □ For □ Against □ Information OR Waive Speaking: □ In Support □ Against

PLEASE CHECK ONE OF THE FOLLOWING:

□ I am appearing without compensation or sponsorship.
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S-001 (08/10/2021)
11:00:42 AM Chair calls meeting to order
11:00:51 AM CAA calls the roll
11:00:56 AM Quorum announced
11:01:17 AM Opening comments
11:02:55 AM Tab 2 Michael Yaworsky, Commissioner, Office of Insurance Regulation
11:03:06 AM Mr. Yaworsky presents
11:33:16 AM Questions
11:33:19 AM Senator Powell
11:33:23 AM Mr. Yaworsky
11:34:11 AM Senator Powell
11:34:51 AM Mr. Yaworsky
11:35:21 AM Senator Powell
11:36:00 AM Mr. Yaworsky
11:36:11 AM Senator Powell
11:36:14 AM Mr. Yaworsky
11:37:19 AM Senator Powell
11:37:43 AM Mr. Yaworsky
11:39:23 AM Senator Ingoglia
11:39:54 AM Mr. Yaworsky
11:40:54 AM Senator Ingoglia
11:42:32 AM Mr. Yaworsky
11:43:56 AM Senator Mayfield
11:44:09 AM Mr. Yaworsky
11:45:33 AM Senator Mayfield
11:47:50 AM Mr. Yaworsky
11:49:50 AM Chair with comments
11:50:55 AM Senator Torres
11:51:40 AM Chair Boyd
11:52:09 AM Mr. Yaworsky
11:52:33 AM Senator Torres
11:52:37 AM Mr. Yaworsky
11:53:24 AM Chair Boyd
11:53:41 AM Senator Torres
11:53:44 AM Mr. Yaworsky
11:54:30 AM Senator DiCeglie
11:54:36 AM Mr. Yaworsky
11:54:59 AM Chair Boyd
11:55:28 AM Tab 3 Tim Cerio, President, Executive Director, CEO, Citizens Property Insurance Corporation
11:55:42 AM Mr. Cerio presents
12:12:59 PM Questions
12:13:23 PM Senator Thompson
12:13:30 PM Mr. Cerio
12:14:09 PM Senator Thompson
12:14:52 PM Mr. Cerio
12:15:12 PM Senator Powell
12:15:51 PM Mr. Cerio
12:17:16 PM Senator Powell
12:19:16 PM Mr. Cerio
12:20:30 PM Senator Torres
12:21:31 PM Mr. Cerio
12:22:17 PM Senator Torres
12:22:20 PM Mr. Cerio
12:22:47 PM Chair Boyd
12:23:10 PM Tab 1 Steven Fielder, DFS - My Safe Florida Home Program
12:23:14 PM Mr. Fielder presents
12:29:29 PM Chair Boyd
12:29:40 PM Mr. Fielder
12:29:59 PM Chair Boyd
12:30:10 PM Meeting adjourned