

26 requirements; requiring the department to
 27 electronically verify a contractor's state license;
 28 requiring construction to be completed and the
 29 association to submit a request for a final inspection
 30 within a specified time period; requiring mitigation
 31 grants to be matched by the association; providing a
 32 maximum state contribution based on the General
 33 Appropriations Act; providing requirements for
 34 mitigation projects; providing how mitigation grants
 35 may be used; requiring the department to develop a
 36 specified process to ensure efficiency; authorizing
 37 the department to contract for certain services;
 38 providing requirements for such contracts; requiring
 39 the department to implement a quality assurance and
 40 reinspection program; requiring the department to
 41 submit to the Legislature an annual report with
 42 specified information; providing an effective date.

43
 44 Be It Enacted by the Legislature of the State of Florida:

45
 46 Section 1. Section 215.5587, Florida Statutes, is created
 47 to read:

48 215.5587 My Safe Florida Condominium Pilot Program.—There
 49 is established within the Department of Financial Services the
 50 My Safe Florida Condominium Pilot Program to be implemented

51 pursuant to appropriations. The department shall provide fiscal
52 accountability, contract management, and strategic leadership
53 for the pilot program, consistent with this section. This
54 section does not create an entitlement for associations or unit
55 owners or obligate the state in any way to fund the inspection
56 or retrofitting of condominiums in the state. Implementation of
57 this pilot program is subject to annual legislative
58 appropriations. It is the intent of the Legislature that the My
59 Safe Florida Condominium Pilot Program provide licensed
60 inspectors to perform inspections for and grants to eligible
61 associations as funding allows.

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

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

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

68 (c) "Board of administration" has the same meaning as in
69 s. 718.103.

70 (d) "Condominium" has the same meaning as in s. 718.103.

71 (e) "Condominium property" means the lands, leaseholds,
72 and personal property that are subjected to condominium
73 ownership, whether or not contiguous, and all improvements
74 thereon and all easements and rights appurtenant thereto
75 intended for use in connection with the condominium and are

76 located in the service area.

77 (f) "Department" means the Department of Financial
78 Services.

79 (g) "Property" means association property and condominium
80 property, as applicable, located in the service area.

81 (h) "Rebuild" means property under construction to replace
82 a structure that was destroyed or significantly damaged by a
83 hurricane and deemed unlivable by a regulatory authority.

84 (i) "Service area" means the area of the state which is 15
85 miles inward of a coastline, as that term is defined in s.
86 376.031.

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

88 (k) "Unit owner" has the same meaning as in s. 718.103.

89 (2) PARTICIPATION.—

90 (a) In order to apply for an inspection under subsection
91 (4) or a grant under subsection (5) for association property or
92 condominium property, an association must receive approval by a
93 majority vote of the board of administration or a majority vote
94 of the total voting interests of the association to participate
95 in the pilot program.

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

99 1. Approval by a majority vote of the board of
100 administration or a majority vote of the total voting interests

101 of the association to participate in a mitigation inspection.

102 2. A unanimous vote of all unit owners within the
103 structure or building that is the subject of the mitigation
104 grant.

105 (c) A unit owner may participate in the pilot program
106 through a mitigation grant awarded to the association but may
107 not participate individually in the pilot program.

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

124 (3) HURRICANE MITIGATION INSPECTORS.—

125 (a) Licensed inspectors are to provide inspections of the

126 property to determine the mitigation measures that are needed,
127 the insurance premium discounts that may be available to the
128 association, and the improvements to existing properties of the
129 association that are needed to reduce a property's vulnerability
130 to hurricane damage.

131 (b) The department shall contract with wind certification
132 entities to provide hurricane mitigation inspections. To qualify
133 for selection by the department as a wind certification entity
134 to provide hurricane mitigation inspections, the entity must, at
135 a minimum, meet all of the following 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 who has completed at
144 least 3 hours of hurricane mitigation training approved by the
145 Construction Industry Licensing Board, which must include
146 hurricane mitigation techniques, compliance with the uniform
147 mitigation verification form, and completion of a proficiency
148 exam.

149 2. Use hurricane mitigation inspectors who have undergone
150 drug testing and a background screening. The department may

151 conduct criminal record checks of inspectors used by wind
152 certification entities. Inspectors must submit a full set of
153 fingerprints to the department or to a vendor, an entity, or an
154 agency authorized under s. 943.053(13). The department, vendor,
155 entity, or agency shall forward the fingerprints to the
156 Department of Law Enforcement for state processing and the
157 Department of Law Enforcement shall forward the fingerprints to
158 the Federal Bureau of Investigation for national processing.
159 Fees for state and federal fingerprint processing shall be borne
160 by the applicant. The state cost for fingerprint processing
161 shall be as provided in s. 943.053(3) (e). The results must be
162 returned to the department for screening. The fingerprints must
163 be taken by a law enforcement agency, designated examination
164 center, or other department-approved entity.

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

167 (4) HURRICANE MITIGATION INSPECTIONS.—

168 (a) The inspections provided to an association under this
169 section must, at a minimum, include all of the following:

170 1. An inspection of the property, and a report that
171 summarizes the results and identifies recommended improvements
172 the association may take to mitigate hurricane damage.

173 2. A range of cost estimates regarding the recommended
174 mitigation improvements.

175 3. Information regarding estimated insurance premium

176 discounts, correlated to the current mitigation features and the
177 recommended mitigation improvements identified by the
178 inspection.

179 (b) An application for an inspection must contain a signed
180 or electronically verified statement made under penalty of
181 perjury by the president of the board of administration that the
182 association has submitted only a single application for each
183 property that the association operates or maintains.

184 (c) An association may apply for and receive an inspection
185 without also applying for a grant under subsection (5).

186 (5) MITIGATION GRANTS.—Financial grants may be used to
187 encourage associations to retrofit the property the association
188 operates and maintains in order to make such property less
189 vulnerable to hurricane damage.

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

191 1. Contain a signed or electronically verified statement
192 made under penalty of perjury by the president of the board of
193 administration that the association has submitted only a single
194 application for each property that the association operates or
195 maintains.

196 2. Include a notarized statement from the president of the
197 board of administration containing the name and license number
198 of the contractor the association intends to use for the
199 mitigation project.

200 3. Include a notarized statement from the president of the

201 board of administration which commits to the department that the
202 association will complete the mitigation improvements. If the
203 grant will be used to improve units, the application must also
204 include an acknowledged statement from each unit owner who is
205 required to provide approval for a grant under paragraph (2) (b).

206 (b) An association may select its own contractor for the
207 mitigation project as long as such contractor meets all
208 qualification, certification, or licensing requirements in
209 general law. A mitigation project must be performed by a
210 properly licensed contractor who has secured all required local
211 permits necessary for the project. The department must
212 electronically verify that the contractor's state license number
213 is accurate and up to date before approving a grant application.

214 (c) An association awarded a grant must complete the
215 entire mitigation project in order to receive the final grant
216 award and must agree to make the property available for a final
217 inspection once the mitigation project is finished to ensure the
218 mitigation improvements are completed in a matter consistent
219 with the intent of the pilot program and meet or exceed the
220 applicable Florida Building Code requirements. Construction must
221 be completed and the association must submit a request to the
222 department for a final inspection, or request an extension of
223 time, within 1 year after receiving grant approval. If the
224 association fails to comply with this paragraph, the application
225 is deemed abandoned and the grant money reverts back to the

226 department.

227 (d) All grants must be matched on the basis of \$1 provided
 228 by the association for \$2 provided by the state up to a maximum
 229 contribution as provided in the General Appropriations Act.

230 (e) When recommended by a hurricane mitigation inspection
 231 report, grants for eligible associations may be used for the
 232 following improvements:

- 233 1. Opening protection.
- 234 2. Exterior doors, including garage doors.
- 235 3. Reinforcing roof-to-wall connections.
- 236 4. Improving the strength of roof-deck attachments.
- 237 5. Secondary water barrier for roof.

238 (f) Grants may be used for a previously inspected existing
 239 structure on the property or for a rebuild.

240 (g)1. If improvements to protect the property which
 241 complied with the current applicable building code at the time
 242 have been previously installed, the association must use a
 243 mitigation grant to install improvements that do both of the
 244 following:

- 245 a. Comply with or exceed the applicable building code in
 246 effect at the time the association applied for the grant.
- 247 b. Provide more hurricane protection than the improvements
 248 that the association previously installed.

249 2. The association may not use a mitigation grant to:

- 250 a. Install the same type of improvements that were

251 previously installed; or

252 b. Pay a deductible for a pending insurance claim for
253 damage that is part of the property for which grant funds are
254 being received.

255 (h) The department shall develop a process that ensures
256 the most efficient means to collect and verify grant
257 applications to determine eligibility and may direct hurricane
258 mitigation inspectors to collect and verify grant application
259 information or use the Internet or other electronic means to
260 collect information and determine eligibility.

261 (6) CONTRACT MANAGEMENT.—

262 (a) The department may contract with third parties for
263 grants management, inspection services, contractor services,
264 information technology, educational outreach, and auditing
265 services. Such contracts are considered direct costs of the
266 pilot program and are not subject to administrative cost limits.
267 The department shall contract with providers that have a
268 demonstrated record of successful business operations in areas
269 directly related to the services to be provided and shall ensure
270 the highest accountability for use of state funds, consistent
271 with this section.

272 (b) The department shall implement a quality assurance and
273 reinspection program that determines whether initial inspections
274 and mitigation improvements are completed in a manner consistent
275 with the intent of the pilot program. The department may use a

276 valid random sampling in order to perform the quality assurance
277 portion of the pilot program.

278 (7) REPORTS.—By February 1 of each year, the department
279 shall submit a report to the President of the Senate and the
280 Speaker of the House of Representatives on the activities of the
281 pilot program and the use of state funds. The report must
282 include all of the following information:

283 (a) The number of inspections requested.

284 (b) The number of inspections performed.

285 (c) The number of grant applications received.

286 (d) The number of grants approved and the monetary value
287 of each grant.

288 (e) The estimated average annual amount of insurance
289 premium discounts each association received and the total
290 estimated annual amount of insurance premium discounts received
291 by all associations participating in the pilot program.

292 (f) The estimated average annual amount of insurance
293 premium discounts each unit owner received as a result of the
294 improvements to the building or structure.

295 Section 2. This act shall take effect July 1, 2024.