



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; providing requirements  
 31 for funding grant projects; requiring mitigation  
 32 grants to be matched by the association; providing  
 33 maximum state contributions; authorizing associations  
 34 to receive grant funds for multiple projects;  
 35 prohibiting the department from accepting grant  
 36 applications or maintaining a waiting list under  
 37 certain circumstances, unless otherwise expressly  
 38 authorized by the Legislature; providing requirements  
 39 for mitigation projects; providing how mitigation  
 40 grants may be used; requiring the department to  
 41 develop a specified process to ensure efficiency;  
 42 authorizing the department to contract for certain  
 43 services; providing requirements for such contracts;  
 44 requiring the department to implement a quality  
 45 assurance and reinspection program; requiring the  
 46 department to submit to the Legislature an annual  
 47 report with specified information; providing an  
 48 effective date.

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

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

215.5587 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 for the pilot program, consistent with this section. This section does not create an entitlement for associations or unit owners or obligate the state in any way to fund the inspection or retrofitting of condominiums in the state. Implementation of this pilot program is subject to annual legislative appropriations. It is the intent of the Legislature that the My Safe Florida Condominium Pilot Program provide licensed inspectors to perform inspections for and grants to eligible associations as funding allows.

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

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

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

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

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

77 (e) "Condominium property" means the lands, leaseholds,  
 78 and personal property that are subjected to condominium  
 79 ownership, whether or not contiguous, and all improvements  
 80 thereon and all easements and rights appurtenant thereto  
 81 intended for use in connection with the condominium and are  
 82 located in the service area.

83 (f) "Department" means the Department of Financial  
 84 Services.

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

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

90 (i) "Service area" means the area of the state which is 15  
 91 miles inward of a coastline, as that term is defined in s.  
 92 376.031.

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

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

95 (2) PARTICIPATION.—

96 (a) In order to apply for an inspection under subsection  
 97 (4) or a grant under subsection (5) for association property or  
 98 condominium property, an association must receive approval by a  
 99 majority vote of the board of administration or a majority vote  
 100 of the total voting interests of the association to participate

101 in the pilot program.

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

105 1. Approval by a majority vote of the board of  
 106 administration or a majority vote of the total voting interests  
 107 of the association to participate in a mitigation inspection.

108 2. A unanimous vote of all unit owners within the  
 109 structure or building that is the subject of the mitigation  
 110 grant.

111 (c) A unit owner may participate in the pilot program  
 112 through a mitigation grant awarded to the association but may  
 113 not participate individually in the pilot program.

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

126 after an affirmative vote to participate in the pilot program,  
127 the association must provide written notice in the same manner  
128 as required under s. 718.112(2)(d) to all unit owners of the  
129 decision to participate in the pilot program.

130 (3) HURRICANE MITIGATION INSPECTORS.—

131 (a) Licensed inspectors are to provide inspections of the  
132 property to determine the mitigation measures that are needed,  
133 the insurance premium discounts that may be available to the  
134 association, and the improvements to existing properties of the  
135 association that are needed to reduce a property's vulnerability  
136 to hurricane damage.

137 (b) The department shall contract with wind certification  
138 entities to provide hurricane mitigation inspections. To qualify  
139 for selection by the department as a wind certification entity  
140 to provide hurricane mitigation inspections, the entity must, at  
141 a minimum, meet all of the following requirements:

142 1. Use hurricane mitigation inspectors who are licensed or  
143 certified as:

144 a. A building inspector under s. 468.607;

145 b. A general, building, or residential contractor under s.  
146 489.111;

147 c. A professional engineer under s. 471.015;

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

149 e. A home inspector under s. 468.8314 who has completed at  
150 least 3 hours of hurricane mitigation training approved by the

151 Construction Industry Licensing Board, which must include  
152 hurricane mitigation techniques, compliance with the uniform  
153 mitigation verification form, and completion of a proficiency  
154 exam.

155 2. Use hurricane mitigation inspectors who have undergone  
156 drug testing and a background screening. The department may  
157 conduct criminal record checks of inspectors used by wind  
158 certification entities. Inspectors must submit a full set of  
159 fingerprints to the department or to a vendor, an entity, or an  
160 agency authorized under s. 943.053(13). The department, vendor,  
161 entity, or agency shall forward the fingerprints to the  
162 Department of Law Enforcement for state processing and the  
163 Department of Law Enforcement shall forward the fingerprints to  
164 the Federal Bureau of Investigation for national processing.  
165 Fees for state and federal fingerprint processing shall be borne  
166 by the applicant. The state cost for fingerprint processing  
167 shall be as provided in s. 943.053(3) (e). The results must be  
168 returned to the department for screening. The fingerprints must  
169 be taken by a law enforcement agency, designated examination  
170 center, or other department-approved entity.

171 3. Provide a quality assurance program including a  
172 reinspection component.

173 (4) HURRICANE MITIGATION INSPECTIONS.—

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

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

179 2. A range of cost estimates regarding the recommended  
 180 mitigation improvements.

181 3. Information regarding estimated insurance premium  
 182 discounts, correlated to the current mitigation features and the  
 183 recommended mitigation improvements identified by the  
 184 inspection.

185 (b) An application for an inspection must contain a signed  
 186 or electronically verified statement made under penalty of  
 187 perjury by the president of the board of administration that the  
 188 association has submitted only a single application for each  
 189 property that the association operates or maintains.

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

192 (5) MITIGATION GRANTS.—Financial grants may be used to  
 193 encourage associations to retrofit the property the association  
 194 operates and maintains in order to make such property less  
 195 vulnerable to hurricane damage.

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

197 1. Contain a signed or electronically verified statement  
 198 made under penalty of perjury by the president of the board of  
 199 administration that the association has submitted only a single  
 200 application for each property that the association operates or

201 maintains.

202 2. Include a notarized statement from the president of the  
 203 board of administration containing the name and license number  
 204 of the contractor the association intends to use for the  
 205 mitigation project.

206 3. Include a notarized statement from the president of the  
 207 board of administration which commits to the department that the  
 208 association will complete the mitigation improvements. If the  
 209 grant will be used to improve units, the application must also  
 210 include an acknowledged statement from each unit owner who is  
 211 required to provide approval for a grant under paragraph (2) (b).

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

220 (c) An association awarded a grant must complete the  
 221 entire mitigation project in order to receive the final grant  
 222 award and must agree to make the property available for a final  
 223 inspection once the mitigation project is finished to ensure the  
 224 mitigation improvements are completed in a matter consistent  
 225 with the intent of the pilot program and meet or exceed the

226 applicable Florida Building Code requirements. Construction must  
227 be completed and the association must submit a request to the  
228 department for a final inspection, or request an extension of  
229 time, within 1 year after receiving grant approval. If the  
230 association fails to comply with this paragraph, the application  
231 is deemed abandoned and the grant money reverts back to the  
232 department.

233 (d) Grant projects shall be funded as follows:

234 1. All grants must be matched on the basis of \$1 provided  
235 by the association for \$2 provided by the state.

236 2. For roof-related projects, the grant contribution is  
237 \$11 per square foot multiplied by the square footage of the  
238 replacement roof, not to exceed \$1,000 per unit, with a maximum  
239 grant award of 50 percent of the cost of the project.

240 3. For opening protection-related projects, the grant  
241 contribution is a maximum of \$750 per replacement window or  
242 door, not to exceed \$1,500 per unit, with a maximum grant award  
243 of 50 percent of the cost of the project.

244 4. An association may receive grant funds for both roof-  
245 related and opening protection-related projects, but the maximum  
246 total grant award may not exceed \$175,000 per association.

247 5. The department may not accept grant applications or  
248 maintain a waiting list for grants after the cumulative value of  
249 the grants awarded have fully obligated the appropriation,  
250 unless otherwise expressly authorized by the Legislature.

251 (e) When recommended by a hurricane mitigation inspection  
252 report, grants for eligible associations may be used for the  
253 following improvements:

- 254 1. Opening protection.
- 255 2. Exterior doors, including garage doors.
- 256 3. Reinforcing roof-to-wall connections.
- 257 4. Improving the strength of roof-deck attachments.
- 258 5. Secondary water barrier for roof.

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

261 (g)1. If improvements to protect the property which  
262 complied with the current applicable building code at the time  
263 have been previously installed, the association must use a  
264 mitigation grant to install improvements that do both of the  
265 following:

266 a. Comply with or exceed the applicable building code in  
267 effect at the time the association applied for the grant.

268 b. Provide more hurricane protection than the improvements  
269 that the association previously installed.

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

271 a. Install the same type of improvements that were  
272 previously installed; or

273 b. Pay a deductible for a pending insurance claim for  
274 damage that is part of the property for which grant funds are  
275 being received.

276        (h) The department shall develop a process that ensures  
277 the most efficient means to collect and verify grant  
278 applications to determine eligibility and may direct hurricane  
279 mitigation inspectors to collect and verify grant application  
280 information or use the Internet or other electronic means to  
281 collect information and determine eligibility.

282        (6) CONTRACT MANAGEMENT.—

283        (a) The department may contract with third parties for  
284 grants management, inspection services, contractor services,  
285 information technology, educational outreach, and auditing  
286 services. Such contracts are considered direct costs of the  
287 pilot program and are not subject to administrative cost limits.  
288 The department shall contract with providers that have a  
289 demonstrated record of successful business operations in areas  
290 directly related to the services to be provided and shall ensure  
291 the highest accountability for use of state funds, consistent  
292 with this section.

293        (b) The department shall implement a quality assurance and  
294 reinspection program that determines whether initial inspections  
295 and mitigation improvements are completed in a manner consistent  
296 with the intent of the pilot program. The department may use a  
297 valid random sampling in order to perform the quality assurance  
298 portion of the pilot program.

299        (7) REPORTS.—By February 1 of each year, the department  
300 shall submit a report to the President of the Senate and the

301 Speaker of the House of Representatives on the activities of the  
302 pilot program and the use of state funds. The report must  
303 include all of the following information:

304 (a) The number of inspections requested.

305 (b) The number of inspections performed.

306 (c) The number of grant applications received.

307 (d) The number of grants approved and the monetary value  
308 of each grant.

309 (e) The estimated average annual amount of insurance  
310 premium discounts each association received and the total  
311 estimated annual amount of insurance premium discounts received  
312 by all associations participating in the pilot program.

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

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