



332382

LEGISLATIVE ACTION

Senate

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House

The Committee on Fiscal Policy (Boyd) recommended the following:

Senate Amendment (with title amendment)

Delete lines 70 - 309

and insert:

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

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

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

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



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12 (b)1. An application for a hurricane mitigation inspection
13 must contain a signed or electronically verified statement made
14 under penalty of perjury that the applicant has submitted only
15 one inspection application on the home or that the application
16 is allowed under subparagraph 2., and the application must have
17 documents attached which demonstrate that the applicant meets
18 the requirements of paragraph (a).

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

21 a. The original hurricane mitigation inspection application
22 has been denied or withdrawn because of errors or omissions in
23 the application;

24 b. The original hurricane mitigation inspection application
25 was denied or withdrawn because the home did not meet the
26 eligibility criteria for an inspection at the time of the
27 previous application, and the homeowner reasonably believes the
28 home now is eligible for an inspection; or

29 c. The program's eligibility requirements for an inspection
30 have changed since the original application date, and the
31 applicant reasonably believes the home is eligible under the new
32 requirements.

33 (c) An applicant meeting the requirements of paragraph (a)
34 may receive an inspection of a home under the program without
35 being eligible for a grant under subsection (2) or applying for
36 such grant.

37 (d) Licensed inspectors are to provide home inspections of
38 eligible homes ~~site-built, single-family, residential properties~~
39 ~~for which a homestead exemption has been granted,~~ to determine
40 what mitigation measures are needed, what insurance premium



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41 discounts may be available, and what improvements to existing
42 residential properties are needed to reduce the property's
43 vulnerability to hurricane damage. An inspector may inspect a
44 townhouse as defined in s. 481.203 to determine if opening
45 protection mitigation as listed in subparagraph (2) (e) 1.
46 ~~paragraph (2) (e)~~ would provide improvements to mitigate
47 hurricane damage.

48 (e) (b) The department ~~of Financial Services~~ shall contract
49 with wind certification entities to provide hurricane mitigation
50 inspections. The inspections provided to homeowners, at a
51 minimum, must include:

52 1. A home inspection and report that summarizes the results
53 and identifies recommended improvements a homeowner may take to
54 mitigate hurricane damage.

55 2. A range of cost estimates regarding the recommended
56 mitigation improvements.

57 3. Information regarding estimated premium discounts,
58 correlated to the current mitigation features and the
59 recommended mitigation improvements identified by the
60 inspection.

61 (f) (e) To qualify for selection by the department as a wind
62 certification entity to provide hurricane mitigation
63 inspections, the entity must, at a minimum, meet the following
64 requirements:

65 1. Use hurricane mitigation inspectors who are licensed or
66 certified as:

67 a. A building inspector under s. 468.607;

68 b. A general, building, or residential contractor under s.
69 489.111;



70 c. A professional engineer under s. 471.015;
71 d. A professional architect under s. 481.213; or
72 e. A home inspector under s. 468.8314 and who have
73 completed at least 3 hours of hurricane mitigation training
74 approved by the Construction Industry Licensing Board, which
75 training must include hurricane mitigation techniques,
76 compliance with the uniform mitigation verification form, and
77 completion of a proficiency exam.

78 2. Use hurricane mitigation inspectors who also have
79 undergone drug testing and a background screening. The
80 department may conduct criminal record checks of inspectors used
81 by wind certification entities. Inspectors must submit a set of
82 fingerprints to the department for state and national criminal
83 history checks and must pay the fingerprint processing fee set
84 forth in s. 624.501. The fingerprints must be sent by the
85 department to the Department of Law Enforcement and forwarded to
86 the Federal Bureau of Investigation for processing. The results
87 must be returned to the department for screening. The
88 fingerprints must be taken by a law enforcement agency,
89 designated examination center, or other department-approved
90 entity.

91 3. Provide a quality assurance program including a
92 reinspection component.

93 ~~(d) An application for an inspection must contain a signed~~
94 ~~or electronically verified statement made under penalty of~~
95 ~~perjury that the applicant has submitted only a single~~
96 ~~application for that home.~~

97 ~~(e) The owner of a site-built, single-family, residential~~
98 ~~property or townhouse as defined in s. 481.203, for which a~~



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99 ~~homestead exemption has been granted, may apply for and receive~~
100 ~~an inspection without also applying for a grant pursuant to~~
101 ~~subsection (2) and without meeting the requirements of paragraph~~
102 ~~(2)(a).~~

103 (2) HURRICANE MITIGATION GRANTS.—Financial grants shall be
104 used by homeowners ~~to encourage single-family, site-built,~~
105 ~~owner-occupied, residential property owners~~ to make improvements
106 recommended by an inspection which increase resistance ~~retrofit~~
107 ~~their properties to make them less vulnerable to hurricane~~
108 ~~damage.~~

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

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

115 2. The home must be a dwelling with an insured value of
116 \$700,000 or less. Homeowners who are low-income persons, as
117 defined in s. 420.0004(11), are exempt from this requirement.

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

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

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

124 6. The homeowner must agree to provide to the department
125 information received from the homeowner's insurer identifying
126 the discounts realized by the homeowner because of the
127 mitigation improvements funded through the program.



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128 (b)1. An application for a grant must contain a signed or
129 electronically verified statement made under penalty of perjury
130 that the applicant has submitted only one grant ~~a single~~
131 application or that the application is allowed under
132 subparagraph 2., and the application must have ~~attached~~
133 documents ~~attached~~ demonstrating that the applicant meets the
134 requirements of ~~this~~ paragraph (a).

135 2. An applicant may submit a subsequent grant application
136 if:

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

139 b. The original grant application was denied or withdrawn
140 because the home did not meet the eligibility criteria for a
141 grant at the time of the previous application, and the homeowner
142 reasonably believes that the home now is eligible for a grant;
143 or

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

148 3. A grant application must include a statement from the
149 homeowner which contains the name and state license number of
150 the contractor that the homeowner acknowledges as the intended
151 contractor for the mitigation work. The program must
152 electronically verify that the contractor's state license number
153 is accurate and up to date before grant approval.

154 (c) ~~(b)~~ All grants must be matched on the basis of \$1
155 provided by the applicant for \$2 provided by the state up to a
156 maximum state contribution of \$10,000 toward the actual cost of



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157 the mitigation project, except as provided in paragraph (h).

158 ~~(d)(e) The program shall create a process in which~~
159 ~~contractors agree to participate and homeowners select from a~~
160 ~~list of participating contractors. All hurricane mitigation~~
161 ~~performed under the program must be based upon the securing of~~
162 ~~all required local permits and inspections and must be performed~~
163 ~~by properly licensed contractors. Hurricane mitigation~~
164 ~~inspectors qualifying for the program may also participate as~~
165 ~~mitigation contractors as long as the inspectors meet the~~
166 ~~department's qualifications and certification requirements for~~
167 ~~mitigation contractors.~~

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

175 (e) When recommended by a hurricane mitigation inspection,
176 grants for eligible homes may be used for the following
177 improvements:

178 1. Opening protection, including exterior doors, garage
179 doors, windows, and skylights.

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

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

182 3.4. ~~Improving the strength of roof-deck attachments.~~

183 4.5. ~~Secondary water resistance barrier for roof.~~

184 (f) When recommended by a hurricane mitigation inspection,
185 grants for townhouses, as defined in s. 481.203, may only be



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186 used for opening protection.

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

193 ~~(g) Grants may be used on a previously inspected existing~~
194 ~~structure or on a rebuild. A rebuild is defined as a site-built,~~
195 ~~single-family dwelling under construction to replace a home that~~
196 ~~was destroyed or significantly damaged by a hurricane and deemed~~
197 ~~unlivable by a regulatory authority. The homeowner must be a~~
198 ~~low-income homeowner as defined in paragraph (h), must have had~~
199 ~~a homestead exemption for that home before the hurricane, and~~
200 ~~must be intending to rebuild the home as that homeowner's~~
201 ~~homestead.~~

202 (h) Low-income homeowners, as defined in s. 420.0004(11),
203 who otherwise meet the applicable requirements of this
204 subsection ~~paragraphs (a), (c), (e), and (g)~~ are eligible for a
205 grant of up to \$10,000 and are not required to provide a
206 matching amount to receive the grant. ~~The program may accept a~~
207 ~~certification directly from a low-income homeowner that the~~
208 ~~homeowner meets the requirements of s. 420.0004(11) if the~~
209 ~~homeowner provides such certification in a signed or~~
210 ~~electronically verified statement made under penalty of perjury.~~

211 (i)1. The department shall develop a process that ensures
212 the most efficient means to collect and verify inspection
213 applications and grant applications to determine eligibility.
214 The department ~~and~~ may direct hurricane mitigation inspectors to



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215 collect and verify grant application information or use the
216 Internet or other electronic means to collect information and
217 determine eligibility.

218 2. The department shall prioritize the review and approval
219 of such inspection applications and grant applications in the
220 following order:

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

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

225 c. Third, applications from moderate-income persons, as
226 defined in s. 420.0004, who are at least 60 years old;

227 d. Fourth, applications from all other moderate-income
228 persons, as defined in s. 420.0004; and

229 e. Last, all other applications.

230 3. The department shall start accepting inspection
231 applications and grant applications no earlier than the
232 effective date of a legislative appropriation funding
233 inspections and grants, as follows:

234 a. Initially, from applicants prioritized under sub-
235 paragraph 2.a.;

236 b. From applicants prioritized under sub-paragraph 2.b.,
237 beginning 15 days after the program initially starts accepting
238 applications;

239 c. From applicants prioritized under sub-paragraph 2.c.,
240 beginning 30 days after the program initially starts accepting
241 applications;

242 d. From applicants described in sub-paragraph 2.d.,
243 beginning 45 days after the program initially starts accepting



244 applications; and
245 e. From all other applicants, beginning 60 days after the
246 program initially starts accepting applications.

247 4. The program may accept a certification directly from a
248 low-income homeowner or moderate-income homeowner who meets the
249 requirements of s. 420.0004(11) or (12), respectively, if the
250 homeowner provides such certification in a signed or
251 electronically verified statement made under penalty of perjury.

252 (j) A homeowner who receives a grant shall finalize
253 construction and request a final inspection, or request an
254 extension for an additional 6 months, within 1 year after grant
255 approval. If a homeowner fails to comply with this paragraph,
256 his or her application is deemed abandoned and the grant money
257 reverts to the department.

258 (3) REQUESTS FOR INFORMATION.—The department may request
259 that an applicant provide additional information. An application
260 is deemed withdrawn by the applicant if the department does not
261 receive a response to its request for additional information
262 within 60 days after the notification of any apparent error or
263 omission.

264
265 ===== T I T L E A M E N D M E N T =====

266 And the title is amended as follows:

267 Delete lines 9 - 32

268 and insert:

269 application under certain conditions; authorizing
270 applicants who meet specified requirements to receive
271 a home inspection under the program without being
272 eligible for, or applying for, a grant; specifying



273 eligibility requirements for hurricane mitigation
274 grants; revising application requirements for
275 hurricane mitigation grants; authorizing an applicant
276 to submit a subsequent hurricane mitigation grant
277 application under certain conditions; requiring that a
278 grant application include certain information;
279 deleting and revising provisions relating to the
280 selection of hurricane mitigation inspectors and
281 contractors; deleting the requirement that matching
282 fund grants be made available to certain entities;
283 revising improvements that grants for eligible homes
284 may be used; deleting the authorization to use grants
285 on rebuilds; requiring the Department of Financial
286 Services to develop a process that ensures the most
287 efficient means to collect and verify inspection
288 applications; requiring the department to prioritize
289 the review and approval of inspection and grant
290 applications in a specified order; requiring the
291 department to start accepting inspection and grant
292 applications as specified in the act; requiring
293 homeowners to finalize construction and make certain
294 requests within a specified time; providing that an
295 application is deemed abandoned under certain
296 circumstances; authorizing the department to request
297 certain information; providing that an application is
298 considered withdrawn under certain circumstances;