

1 A bill to be entitled
2 An act relating to the My Safe Florida Condominium
3 Pilot Program; amending s. 215.55871, F.S.; revising
4 the definition of the term "condominium"; limiting
5 participation in the My Safe Florida Condominium Pilot
6 Program to certain structures and buildings on
7 condominium property; prohibiting a condominium
8 association from applying for a hurricane mitigation
9 inspection or a mitigation grant under the pilot
10 program unless certain association property or
11 condominium property is established as a common
12 element and the association has complied with
13 specified requirements; revising the approval
14 requirements to receive a mitigation grant; removing
15 the amount of grant funding for certain projects;
16 revising the improvements for which a mitigation grant
17 may be used; requiring improvements to be identified
18 in the final hurricane mitigation inspection in order
19 for an association to receive grant funds; requiring
20 grant funds to be awarded for a mitigation improvement
21 that will result in a mitigation credit, discount, or
22 other rate differential; requiring mitigation
23 improvements to be made to all openings under certain
24 circumstances; providing an effective date.
25

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

27
28 **Section 1. Paragraphs (a) through (d) of subsection (2) of**
29 **section 215.55871, Florida Statutes, are redesignated as**
30 **paragraphs (b) through (e), respectively, paragraph (d) of**
31 **subsection (1), present paragraphs (a) and (b) of subsection**
32 **(2), and paragraphs (a) and (d) through (h) of subsection (5)**
33 **are amended, and a new paragraph (a) is added to subsection (2)**
34 **and paragraph (j) is added to subsection (5) of that section, to**
35 **read:**

36 215.55871 My Safe Florida Condominium Pilot Program.—There
37 is established within the Department of Financial Services the
38 My Safe Florida Condominium Pilot Program to be implemented
39 pursuant to appropriations. The department shall provide fiscal
40 accountability, contract management, and strategic leadership
41 for the pilot program, consistent with this section. This
42 section does not create an entitlement for associations or unit
43 owners or obligate the state in any way to fund the inspection
44 or retrofitting of condominiums in the state. Implementation of
45 this pilot program is subject to annual legislative
46 appropriations. It is the intent of the Legislature that the My
47 Safe Florida Condominium Pilot Program provide licensed
48 inspectors to perform inspections for and grants to eligible
49 associations as funding allows.

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

51 (d) "Condominium" has the same meaning as in s. 718.103.
52 For purposes of this section, the term does not include detached
53 units on individual parcels of land.

54 (2) PARTICIPATION.—

55 (a) Participation in the pilot program is limited to
56 structures or buildings on the condominium property which are
57 three or more stories in height, provided that each structure or
58 building that is the subject of a mitigation grant contains at
59 least two single-family dwellings.

60 (b) ~~(a)~~ In order to apply for an inspection under
61 subsection (4) or a grant under subsection (5) for association
62 property or condominium property, an association must receive
63 approval by a majority vote of the board of administration or a
64 majority vote of the total voting interests of the association
65 to participate in the pilot program. An association may not
66 apply for an inspection under subsection (4) or a grant under
67 subsection (5) for association property or condominium property
68 unless the windows of the association property or condominium
69 property are established as common elements in the declaration
70 and the association has complied with the inspection
71 requirements in ss. 553.899 and 718.112(2)(g) and (h).

72 (c) ~~(b)~~ In order to apply for a grant under subsection (5)
73 which improves one or more units within a condominium, an
74 association must receive both of the following:

75 1. Approval by a majority vote of the board of

76 administration or a majority vote of the total voting interests
77 of the association to participate in a mitigation inspection.

78 2. Approval by at least 75 percent ~~A unanimous vote~~ of all
79 unit owners who reside within the structure or building that is
80 the subject of the mitigation grant.

81 (5) MITIGATION GRANTS.—Financial grants may be used by
82 associations to make improvements recommended in a hurricane
83 mitigation inspection report which increase the condominium's
84 resistance to hurricane damage.

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

86 1. Contain a signed or electronically verified statement
87 made under penalty of perjury by the president of the board of
88 administration that the association has submitted only a single
89 application for each property that the association operates or
90 maintains.

91 2. Include a notarized statement from the president of the
92 board of administration containing the name and license number
93 of each contractor the association intends to use for the
94 mitigation project.

95 3. Include a notarized statement from the president of the
96 board of administration which commits to the department that the
97 association will complete the mitigation improvements. If the
98 grant will be used to improve units, the application must also
99 include an acknowledged statement from each unit owner who is
100 required to provide approval for a grant under paragraph (2) (c)

101 ~~(2)(b).~~

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

103 1. All grants must be matched on the basis of \$1 provided
104 by the association for \$2 provided by the state toward the
105 actual cost of the project.

106 ~~2. For roof-related projects, the grant contribution is~~
107 ~~\$11 per square foot multiplied by the square footage of the~~
108 ~~replacement roof, not to exceed \$1,000 per unit, with a maximum~~
109 ~~grant award of 50 percent of the cost of the project.~~

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

114 2.4. An association may receive grant funds for both roof-
115 related and opening protection-related projects, but the maximum
116 total grant award may not exceed \$175,000 per association.

117 ~~3.5.~~ The department may not accept grant applications or
118 maintain a waiting list for grants after the cumulative value of
119 the grants awarded have fully obligated the appropriation,
120 unless otherwise expressly authorized by the Legislature.

121 (e) When recommended by a hurricane mitigation inspection
122 report, grants for eligible associations may be used for the
123 following improvements:

124 1. Opening protection improvements, including all of the
125 following:

- 126 a. Exterior doors.~~7~~
- 127 b. Garage doors.~~7~~
- 128 c. Windows.~~7~~ ~~and~~
- 129 d. Skylights.
- 130 2. Roof improvements, including all of the following:
- 131 a.2. Reinforcing roof-to-wall connections.
- 132 b.3. Improving the strength of roof-deck attachments.
- 133 c.4. Installing secondary water resistance for the roof.
- 134 d. Replacing the roof covering.
- 135 (f) Improvements must be identified in the final hurricane
- 136 mitigation inspection in order for an association to receive
- 137 grant funds ~~Grants may be used for a previously inspected~~
- 138 ~~existing structure on the property.~~
- 139 (g)~~1.~~ If improvements to protect the property that ~~which~~
- 140 complied with the current applicable building code at the time
- 141 have been previously installed, the association must use a
- 142 mitigation grant to install improvements that do both of the
- 143 following:
- 144 1.a. Comply with or exceed the applicable building code in
- 145 effect at the time the association applied for the grant.
- 146 2.b. Provide more hurricane protection than the
- 147 improvements that the association previously installed.
- 148 (h)~~2.~~ The association may not use a mitigation grant to:
- 149 1.a. Install the same type of improvements that were
- 150 previously installed; or

151 ~~2.b.~~ Pay a deductible for a pending insurance claim for
152 damage that is part of the property for which grant funds are
153 being received.

154 ~~(i)-(h)~~ The department shall develop a process that ensures
155 the most efficient means to collect and verify inspection and
156 grant applications to determine eligibility. The department may
157 direct hurricane mitigation inspectors to collect and verify
158 inspection and grant application information or use the Internet
159 or other electronic means to collect information and determine
160 eligibility.

161 (j) Grant funds may only be awarded for a mitigation
162 improvement that will result in a mitigation credit, discount,
163 or other rate differential for the building or structure to
164 which the improvement is made. As a condition of awarding a
165 grant, the department must require mitigation improvements to be
166 made to all openings, including exterior doors, garage doors,
167 windows, and skylights, if doing so is necessary for the
168 building or structure to qualify for a mitigation credit,
169 discount, or other rate differential.

170 **Section 2.** This act shall take effect upon becoming a law.