

By the Committee on Appropriations; and Senator Pizzo

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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.; defining  
4       the term "area median income"; deleting the definition  
5       of the term "service area"; revising definitions;  
6       revising eligibility requirements for participation in  
7       the My Safe Florida Condominium Pilot Program;  
8       requiring the Department of Financial Services to  
9       adopt rules to verify household income; authorizing  
10      the department to require periodic recertification;  
11      specifying that condominium property with mixed-income  
12      occupancies is eligible to participate in the pilot  
13      program under certain circumstances; authorizing  
14      financial grants to be used by associations for a  
15      specified purpose; requiring that an application for a  
16      mitigation grant include documentation to verify  
17      household income; making clarifying changes; requiring  
18      a hurricane mitigation inspector to verify the  
19      possession of water intrusion mitigation devices;  
20      limiting the award of grant funds; requiring an  
21      association to complete a certain percentage of  
22      opening protection improvements; providing an  
23      effective date.

24  
25   Be It Enacted by the Legislature of the State of Florida:

26  
27       Section 1. Subsections (1), (2), and (5) of section  
28       215.55871, Florida Statutes, are amended to read:  
29       215.55871 My Safe Florida Condominium Pilot Program.—There

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

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

44 (a) "Area median income" means the median household income,  
45 as published annually by the United States Department of Housing  
46 and Urban Development, for the county in which the condominium  
47 property is located.

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

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

53 (d)~~(e)~~ "Board of administration" has the same meaning as in  
54 s. 718.103.

55 (e)~~(d)~~ "Condominium" has the same meaning as in s. 718.103.  
56 For purposes of this section, the term does not include detached  
57 units on individual parcels of land.

58 (f)~~(e)~~ "Condominium property" means the lands, leaseholds,

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59 and personal property that are subjected to condominium  
60 ownership, whether or not contiguous, and all improvements  
61 thereon and all easements and rights appurtenant thereto  
62 intended for use in connection with the condominium ~~and are~~  
63 ~~located in the service area.~~

64 (g) ~~(f)~~ "Department" means the Department of Financial  
65 Services.

66 (h) ~~(g)~~ "Property" means association property and  
67 condominium property, as applicable, ~~located in the service~~  
68 ~~area.~~

69 ~~(h) "Service area" means the area of the state which is 15~~  
70 ~~miles inward of a coastline, as that term is defined in s.~~  
71 ~~376.031.~~

72 (i) "Unit" has the same meaning as in s. 718.103.

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

74 (2) PARTICIPATION.—

75 (a) Participation in the pilot program is limited to:

76 1. Condominium associations in which the structures or  
77 buildings on the condominium property were constructed before  
78 January 1, 2008.

79 2. Condominium associations in which at least 80 percent of  
80 the occupied units within the condominium property are owned and  
81 occupied by a person or family whose household annual income is  
82 at or below 80 percent of the area median income, adjusted for  
83 household size, applicable to the county in which the  
84 condominium is located. Eligibility must be determined using the  
85 area median income published at the time an application is  
86 submitted. For purposes of determining whether a condominium  
87 association meets the 80 percent unit-occupied threshold:

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88 a. Only occupied residential units may be counted.

89 b. Owner-occupied residential units may be counted as long  
90 as the persons or families living in such residential units  
91 provide income documentation to the department and the  
92 department has verified that such person or family meets the  
93 income requirements of this subparagraph.

94 3. Structures or buildings on the condominium property  
95 which are three or more stories in height, provided that each  
96 structure or building that is the subject of a mitigation grant  
97 contains at least two single-family dwellings.

98 (b) The department shall adopt rules establishing  
99 acceptable methods for verifying household income, including,  
100 but not limited to, owner self-certification, tax returns,  
101 income statements, or other documentation deemed sufficient by  
102 the department. The department may require periodic  
103 recertification of income eligibility to ensure compliance with  
104 this section.

105 (c) A condominium property with mixed-income occupancies is  
106 eligible to participate in the pilot program under this section  
107 if the income threshold in subparagraph (a)2. is met.

108 (d) ~~(b)~~ In order to apply for an inspection under subsection  
109 (4) or a grant under subsection (5) for association property or  
110 condominium property, an association must receive approval by a  
111 majority vote of the board of administration or a majority vote  
112 of the total voting interests of the association to participate  
113 in the pilot program. An association may not apply for an  
114 inspection under subsection (4) or a grant under subsection (5)  
115 for association property or condominium property unless the  
116 association has complied with the inspection requirements in ss.

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117 553.899 and 718.112(2)(g) and (h). An association may not apply  
118 for a grant under sub-subparagraph (5)(e)1.a. ~~subparagraph~~  
119 ~~(5)(e)1.~~ for association property or condominium property unless  
120 the windows of the association property or condominium property  
121 are established as common elements in the declaration.

122 (e)~~(e)~~ In order to apply for a grant under subsection (5)  
123 which improves one or more units within a condominium, an  
124 association must receive both of the following:

125 1. Approval by a majority vote of the board of  
126 administration or a majority vote of the total voting interests  
127 of the association to participate in a mitigation inspection.

128 2. Approval by at least 75 percent of all unit owners who  
129 reside within the structure or building that is the subject of  
130 the mitigation grant.

131 (f)~~(d)~~ A unit owner may participate in the pilot program  
132 through a mitigation grant awarded to the association but may  
133 not participate individually in the pilot program.

134 (g)~~(e)~~ The votes required under this subsection may take  
135 place at the annual budget meeting of the association or at a  
136 unit owner meeting called for the purpose of taking such vote.  
137 Before a vote of the unit owners may be taken, the association  
138 must provide to the unit owners a clear disclosure of the pilot  
139 program on a form created by the department. The president and  
140 the treasurer of the board of administration must sign the  
141 disclosure form indicating that a copy of the form was provided  
142 to each unit owner of the association. The signed disclosure  
143 form and the minutes from the meeting at which the unit owners  
144 voted to participate in the pilot program must be maintained as  
145 part of the official records of the association. Within 14 days

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

150 (5) MITIGATION GRANTS.—Financial grants may be used by  
151 associations to make improvements that recommended in a  
152 ~~hurricane mitigation inspection report which~~ increase the  
153 condominium's resistance to hurricane damage as provided in this  
154 subsection.

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

156 1. Contain a signed or electronically verified statement  
157 made under penalty of perjury by the president of the board of  
158 administration that the association has submitted only a single  
159 application for each property that the association operates or  
160 maintains.

161 2. Include a notarized statement from the president of the  
162 board of administration containing the name and license number  
163 of each contractor the association intends to use for the  
164 mitigation project.

165 3. Include a notarized statement from the president of the  
166 board of administration which commits to the department that the  
167 association will complete the mitigation improvements. If the  
168 grant will be used to improve units, the application must also  
169 include an acknowledged statement from each unit owner who is  
170 required to provide approval for a grant under paragraph (2)(e)  
171 ~~(2)(e)~~.

172 4. Include documentation deemed sufficient by the  
173 department under paragraph (2)(b) for verifying household  
174 income.

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175 (b) An association may select its own contractors for the  
176 mitigation project as long as each contractor meets all  
177 qualification, certification, or licensing requirements in  
178 general law. A mitigation project must be performed by a  
179 properly licensed contractor who has secured all required local  
180 permits necessary for the project. The department must  
181 electronically verify that the contractor's state license number  
182 is accurate and up to date before approving a grant application.

183 (c) An association awarded a grant must complete the entire  
184 mitigation project in order to receive the final grant award and  
185 must agree to make the property available for a final inspection  
186 once the mitigation project is finished to ensure the mitigation  
187 improvements are completed in a manner consistent with the  
188 intent of the pilot program and meet or exceed the applicable  
189 Florida Building Code requirements. Construction must be  
190 completed and the association must submit a request to the  
191 department for a final inspection, or request an extension of  
192 time, within 1 year after receiving grant approval. If the  
193 association fails to comply with this paragraph, the application  
194 is deemed abandoned and the grant money reverts back to the  
195 department.

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

197 1. All grants must be matched on the basis of \$1 provided  
198 by the association for \$2 provided by the state toward the  
199 actual cost of the project.

200 2. An association may receive grant funds for both roof-  
201 related and opening protection-related projects, but the maximum  
202 total grant award may not exceed \$175,000 per association.

203 3. The department may not accept grant applications or

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204 maintain a waiting list for grants after the cumulative value of  
205 the grants awarded have fully obligated the appropriation,  
206 unless otherwise expressly authorized by the Legislature.

207 (e) Grant funds may only be used for the following:

208 1. ~~water intrusion mitigation devices or~~ Mitigation  
209 improvements recommended in a hurricane mitigation inspection  
210 report which ~~that~~ will result in a mitigation credit, discount,  
211 or other rate differential for the building or structure to  
212 which ~~the improvement is such device or improvement is applied~~  
213 ~~or made, including. When recommended by a hurricane mitigation~~  
214 ~~inspection report, grants for eligible associations may be used~~  
215 ~~for~~ the following improvements:

216 a.1. Opening protection improvements, including all of the  
217 following:

218 (I)a. Exterior doors.

219 (II)b. Garage doors.

220 (III)e. Windows.

221 (IV)d. Skylights.

222 b.2. Roof improvements, including all of the following:

223 (I)a. Reinforcing roof-to-wall connections.

224 (II)b. Improving the strength of roof-deck attachments.

225 (III)e. Installing secondary water resistance for the roof.

226 (IV)d. Replacing the roof covering.

227 2. Water intrusion mitigation devices designed to prevent  
228 wind-driven rainwater intrusion through the tracks of sliding  
229 glass doors. Grant funds authorized under this subparagraph are  
230 not contingent upon a recommendation in a hurricane mitigation  
231 inspection report. However, a hurricane mitigation inspector  
232 must verify the use of such a device.

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233 (f) Except for the water intrusion mitigation devices as  
234 specified in subparagraph (e)2., mitigation improvements must be  
235 identified in the final hurricane mitigation inspection report  
236 in order for an association to receive grant funds.

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

242 1. Comply with or exceed the applicable building code in  
243 effect at the time the association applied for the grant.

244 2. Provide more hurricane protection than the improvements  
245 that the association previously installed.

246 (h) The association may not use a mitigation grant to:

247 1. Install the same type of improvements that were  
248 previously installed; or

249 2. Pay a deductible for a pending insurance claim for  
250 damage that is part of the property for which grant funds are  
251 being received.

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

259 (j) Grant funds may only be awarded for a mitigation  
260 improvement that addresses the common elements of the  
261 condominium property ~~that will result in a mitigation credit,~~

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262 ~~discount, or other rate differential for the building or~~  
263 ~~structure to which the improvement is made.~~ As a condition of  
264 receiving ~~awarding~~ a grant, the association ~~department~~ must  
265 complete 100 percent of the opening protection improvements to  
266 the common elements which were recommended in the final  
267 hurricane mitigation inspection report ~~require mitigation~~  
268 ~~improvements to be made to all openings, including exterior~~  
269 ~~doors, garage doors, windows, and skylights~~ that are a part of  
270 the common elements, ~~if doing so is necessary for the building~~  
271 ~~or structure to qualify for a mitigation credit, discount, or~~  
272 ~~other rate differential.~~

273 Section 2. This act shall take effect July 1, 2026.