

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Aubuchon offered the following:

**Amendment**

Remove lines 3730-3782 and insert:

4.(d) A professional engineer licensed under s. 471.015 who has passed the appropriate equivalency test of the building code training program as required by s. 553.841; or

5.(e) A professional architect licensed under s. 481.213~~7~~  
~~or~~

~~(f) Any other individual or entity recognized by the insurer as possessing the necessary qualifications to properly complete a uniform mitigation verification form.~~

(b) An insurer may, but is not required to, accept a form from any other person possessing qualifications and experience acceptable to the insurer.

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17       (3) A person who is authorized to sign a mitigation  
18 verification form must inspect the structures referenced by the  
19 form personally, not through employees or other persons, and  
20 must certify or attest to personal inspection of the structures  
21 referenced by the form. However, licensees under s. 471.015, s.  
22 481.213, or s. 489.111 may authorize a direct employee, who is  
23 not an independent contractor, and who possesses the requisite  
24 skill, knowledge and experience to conduct a mitigation  
25 verification inspection. Insurers shall have the right to  
26 request and obtain information from the authorized mitigation  
27 inspector under s. 471.015, s. 481.213, or s. 489.111 regarding  
28 any authorized employee's qualifications prior to accepting a  
29 mitigation verification form performed by an employee that is  
30 not licensed under s. 471.015, s. 481.213, or s. 489.111.

31       (4) An authorized mitigation inspector that signs a  
32 uniform mitigation form, and a direct employee authorized to  
33 conduct mitigation verification inspections under paragraph (3),  
34 may not commit misconduct in performing hurricane mitigation  
35 inspections or in completing a uniform mitigation form that  
36 causes financial harm to a customer or their insurer; or that  
37 jeopardizes a customer's health and safety. Misconduct occurs  
38 when an authorized mitigation inspector signs a uniform  
39 mitigation verification form that:

40       (a) Falsely indicates that he or she personally inspected  
41 the structures referenced by the form;

42       (b) Falsely indicates the existence of a feature which  
43 entitles an insured to a mitigation discount which the inspector  
44 knows does not exist or did not personally inspect;

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45 (c) Contains erroneous information due to the gross  
46 negligence of the inspector; or

47 (d) Contains a pattern of demonstrably false information  
48 regarding the existence of mitigation features that could give  
49 an insured a false evaluation of the ability of the structure to  
50 withstand major damage from a hurricane endangering the safety  
51 of the insured's life and property.

52 (5) The licensing board of an authorized mitigation  
53 inspector that violates subsection (4) may commence disciplinary  
54 proceedings and impose administrative fines and other sanctions  
55 authorized under the authorized mitigation inspector's licensing  
56 act. Authorized mitigation inspectors licensed under s. 471.015,  
57 s. 481.213, or s. 489.111 shall be directly liable for the acts  
58 of employees that violate subsection (4) as if the authorized  
59 mitigation inspector personally performed the inspection.

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