

By: Senator(s) Michel, Barnett

To: Insurance;  
AppropriationsCOMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 2413

1 AN ACT TO AMEND SECTION 83-1-191, MISSISSIPPI CODE OF 1972,  
2 TO RENAME THE "COMPREHENSIVE HURRICANE DAMAGE MITIGATION PROGRAM"  
3 TO THE "STRENGTHEN MISSISSIPPI HOMES PROGRAM"; TO INCLUDE WIND  
4 MITIGATION; TO REMOVE THE PROVISIONS FOR A COST-BENEFIT STUDY ON  
5 WIND HAZARD MITIGATION CONSTRUCTION MEASURES, WIND CERTIFICATION  
6 AND HURRICANE MITIGATION INSPECTIONS, AND AN ADVISORY COUNCIL; TO  
7 INCREASE THE AMOUNTS OF FINANCIAL GRANTS OFFERED BY THE STRENGTHEN  
8 MISSISSIPPI HOMES PROGRAM TO \$15,000.00 PER HOME AND TO ALLOW THE  
9 COMMISSIONER OF INSURANCE TO ESTABLISH CRITERIA FOR THE ISSUING OF  
10 GRANTS BY REGULATION; TO RENAME THE "COMPREHENSIVE HURRICANE  
11 DAMAGE MITIGATION PROGRAM FUND" TO THE "STRENGTHEN MISSISSIPPI  
12 HOMES FUND"; TO AMEND SECTION 83-5-73, MISSISSIPPI CODE OF 1972,  
13 TO INCREASE THE FEE FOR THE FILING OF AN AGENT'S CERTIFICATE OF  
14 AUTHORITY FROM \$25.00 TO \$50.00; TO PROVIDE THAT ONE-HALF OF THE  
15 FEE WILL BE DEPOSITED INTO THE STATE GENERAL FUND AND ONE-HALF OF  
16 THE FEE WILL BE DEPOSITED INTO THE STRENGTHEN MISSISSIPPI HOMES  
17 FUND; AND FOR OTHER RELATED PURPOSES.

18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

19 **SECTION 1.** Section 83-1-191, Mississippi Code of 1972, is  
20 amended as follows:

21 83-1-191. (1) There is established within the Department of  
22 Insurance a \* \* \* Strengthen Mississippi Homes Program. This  
23 section does not create an entitlement for property owners or  
24 obligate the state in any way to fund the inspection or  
25 retrofitting of residential property or commercial property in



26 this state. Implementation of this program is subject to the  
27 availability of funds that may be appropriated by the Legislature  
28 for this purpose. The program may develop and implement a  
29 comprehensive and coordinated approach for hurricane and wind  
30 damage mitigation that may include the following:

31 \* \* \*

32 ( \* \* \*a) \* \* \* **Strengthen Mississippi Homes Program.**

33 The Strengthen Mississippi Homes Program shall provide financial  
34 grants \* \* \* to encourage single-family, site-built,  
35 owner-occupied, residential property owners or commercial property  
36 owners to retrofit their properties to make them less vulnerable  
37 to hurricane or wind damage. No financial grant made under this  
38 section shall exceed \* \* \* Fifteen Thousand Dollars (\$15,000.00)  
39 per recipient. The commissioner shall promulgate rules governing  
40 eligibility requirements for grants and the administration of the  
41 program, including, but not limited to, establishing applicant  
42 criteria, contractor and evaluator eligibility requirements and  
43 grant round eligibility and criteria.

44 ( \* \* \*b) **Education and consumer awareness.** Multimedia  
45 public education, awareness and advertising efforts designed to  
46 specifically address mitigation techniques may be employed, as  
47 well as a component to support ongoing consumer resources and  
48 referral services. In addition, all insurance companies shall  
49 provide notification to their clients regarding the availability  
50 of this program, participation details, and directions to the



51 state website promoting the program, along with appropriate  
52 contact phone numbers to the state agency administrating the  
53 program. The notification to the clients must be sent by the  
54 insurance company within thirty (30) days after filing their  
55 insurance discount schedules with the Department of Insurance.

56 \* \* \*

57 ( \* \* \*c) **Rules and regulations.** The Department of  
58 Insurance may adopt rules and regulations governing the \* \* \*  
59 Strengthen Mississippi Homes Program. The department also may  
60 adopt rules and regulations establishing priorities for grants  
61 provided under this section based on objective criteria that gives  
62 priority to reducing the state's probable maximum loss from  
63 hurricanes and wind. However, pursuant to this overall goal, the  
64 department may further establish priorities based on the insured  
65 value of the dwelling, whether or not the dwelling is insured by  
66 the Mississippi Windstorm Underwriting Association and whether or  
67 not the area under consideration has sufficient resources and the  
68 ability to perform the retrofitting required.

69 (2) Nothing in this section shall prohibit the Department of  
70 Insurance from entering into an agreement with any other  
71 appropriate state agency to assist with or perform any of the  
72 duties set forth hereunder.

73 (3) In implementing, establishing and administering the  
74 Strengthen Mississippi Homes Program, the Department of  
75 Insurance \* \* \* may enter into contracts for personal or



76 professional services and may access monies in the \* \* \*  
77 Strengthen Mississippi Homes Program Fund created in subsection  
78 (4) of this section \* \* \*.

79 (4) There is created a special fund in the State Treasury to  
80 be known as the \* \* \* Strengthen Mississippi Homes Program Fund.  
81 The fund shall consist of any monies from any source that are  
82 designated or made available for deposit into the fund. The  
83 Department of Insurance may apply for any federal or private  
84 grants to provide additional funds for the special fund. Monies  
85 in the fund shall be expended by the Department of Insurance, upon  
86 appropriation by the Legislature, for the purposes as provided in  
87 this section. \* \* \*

88 \* \* \*

89 **SECTION 2.** Section 83-5-73, Mississippi Code of 1972, is  
90 amended as follows:

91 83-5-73. The commissioner shall collect and pay into the  
92 special fund in the State Treasury designated as the "Insurance  
93 Department Fund" the following fees: for certificate of authority  
94 to each general or district agent or manager, Twenty-five Dollars  
95 (\$25.00); for filing and processing an agent's certificate of  
96 authority, \* \* \* Fifty Dollars (\$50.00); for filing and examining  
97 statement preliminary to admission, One Thousand Dollars  
98 (\$1,000.00); for filing and processing a Form A application, Two  
99 Thousand Dollars (\$2,000.00); for filing and auditing annual  
100 statement, Five Hundred Dollars (\$500.00); for filing any other



paper required by law, Fifty Dollars (\$50.00); for continuing education courses or programs filed by the providers for approval, Fifty Dollars (\$50.00); for each certification company licensed status, Forty Dollars (\$40.00); for each seal when required, Twenty Dollars (\$20.00); for service of process on the commissioner as attorney, Twenty-five Dollars (\$25.00).

From and after July 1, 2016, the expenses of this agency shall be defrayed by appropriation from the State General Fund and all user charges and fees authorized under this section shall be deposited into the State General Fund as authorized by law, except that from and after July 1, 2025, of the Fifty Dollar (\$50.00) fee charged for the filing and processing of an agent's certificate of authority, Twenty-five Dollars (\$25.00) shall be deposited into the State General Fund and Twenty-five Dollars (\$25.00) shall be deposited into the Strengthen Mississippi Homes Fund. On June 30th of each year, any amount in excess of Fifteen Million Dollars (\$15,000,000.00) in the Strengthen Mississippi Homes Fund will lapse into the General Fund.

From and after July 1, 2016, no state agency shall charge another state agency a fee, assessment, rent or other charge for services or resources received by authority of this section.

**SECTION 3.** Section 1 of this act shall take effect and be in force from and after its passage. Section 2 of this act shall take effect and be in force from and after July 1, 2025.

