MISSISSIPPI LEGISLATURE REGULAR SESSION 2026

By: Senator(s) Michel, Kirby, DeLano, Seymour, Younger, Carter, England, Thompson

To: Insurance

SENATE BILL NO. 2409
(As Sent to Governor)

AN ACT TO CREATE THE "STRENGTHEN MISSISSIPPI HOMES ACT" TO ESTABLISH A COMPREHENSIVE MITIGATION PROGRAM IN THE MISSISSIPPI DEPARTMENT OF INSURANCE FOR RETROFITTING INSURABLE HOMES; TO AMEND SECTION 83-1-191, MISSISSIPPI CODE OF 1972, TO RENAME THE "COMPREHENSIVE HURRICANE DAMAGE MITIGATION PROGRAM" TO THE "STRENGTHEN MISSISSIPPI HOMES PROGRAM"; TO ESTABLISH CRITERIA FOR THE NEW PROGRAM; TO INCLUDE HURRICANE, TORNADO, HAIL, OR OTHER CATASTROPHIC WINDSTORM EVENT MITIGATION; TO ESTABLISH AN ADVISORY COUNCIL; TO PROVIDE FOR OPERATIONAL REPORTS TO BE SUBMITTED TO THE GOVERNOR AND THE LEGISLATURE; TO INCREASE THE AMOUNTS OF FINANCIAL GRANTS OFFERED BY THE STRENGTHEN MISSISSIPPI HOMES PROGRAM TO $10,000.00 PER HOME AND TO ALLOW THE MISSISSIPPI DEPARTMENT OF INSURANCE TO ESTABLISH CRITERIA FOR THE ISSUING OF GRANTS BY REGULATION; TO PROVIDE THAT GRANTS SHALL BE SUBJECT TO APPROPRIATION; TO RENAME THE "COMPREHENSIVE HURRICANE DAMAGE MITIGATION PROGRAM FUND" TO THE "STRENGTHEN MISSISSIPPI HOMES FUND"; TO REMOVE THE REPEALER; TO AMEND SECTION 83-5-73, MISSISSIPPI CODE OF 1972, TO INCREASE THE FEE CHARGED FOR AN AGENT'S CERTIFICATE OF AUTHORITY; AND FOR OTHER RELATED PURPOSES.

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

SECTION 1. This act shall be known and may be cited as the "Strengthen Mississippi Homes Act."

SECTION 2. Section 83-1-191, Mississippi Code of 1972, is amended as follows:

83-1-191. (1) There is established within the Mississippi Department of Insurance *** * *** ~~a Comprehensive Hurricane Damage~~

~~Mitigation~~ the Strengthen Mississippi Homes Program to aid homeowners across the state in retrofitting insurable property to resist loss due to hurricane, tornado, hail, or other catastrophic windstorm events. This section does not create an entitlement for property owners or obligate the state in any way to fund the inspection or retrofitting of residential property *** * *** ~~or commercial property~~ in this state. *** * *** ~~Implementation of this program is subject to the availability of funds that may be appropriated by the Legislature for this purpose.~~ The program *** * *** ~~may develop and implement a comprehensive approach for hurricane damage mitigation that may include the following:~~ is established to make financial grants to retrofit dwellings to resist loss due to hurricane, tornado, hail, or other catastrophic events that meet or exceed the FORTIFIED roof standard of the Insurance Institute for Business and Home Safety (IBHS) or an IBHS successor designation. For a dwelling to be considered for a retrofit grant from the Strengthen Mississippi Homes Program:

(a) *** * *** ~~**Cost-benefit study on wind hazard mitigation construction measures.** The performance of a cost-benefit study to establish the most appropriate wind hazard mitigation construction measures for both new construction and the retrofitting of existing construction for both residential and commercial facilities within the wind-borne debris regions of Mississippi as defined by the International Building Code. The recommended wind construction techniques shall be based on both the newly adopted~~

~~Mississippi building code sections for wind load design and the wind-borne debris region. The list of construction measures to be considered for evaluation in the cost-benefit study shall be based on scientifically established and sound, but common, construction techniques that go above and beyond the basic recommendations in the adopted building codes. This allows residents to utilize multiple options that will further reduce risk and loss and still be awarded for their endeavors with appropriate wind insurance discounts. It is recommended that existing accepted scientific studies that validate the wind hazard construction techniques benefits and effects be taken into consideration when establishing the list of construction techniques that homeowners and business owners can employ. This will ensure that only established construction measures that have been studied and modeled as successful mitigation measures will be considered to reduce the chance of including risky or unsound data that will cost both the property owner and state unnecessary losses. The cost-benefit study shall be based on actual construction cost data collected for several types of residential construction and commercial construction materials, building techniques and designs that are common to the region. The study shall provide as much information as possible that will enhance the data and options provided to the public, so that homeowners and business owners can make informed and educated decisions as to their level of involvement. Based on the construction data, modeling shall be performed on a variety of~~

~~residential and commercial designs, so that a broad enough representative spectrum of data can be obtained. The data from the study will be utilized in a report to establish tables reflecting actuarially appropriate levels of wind insurance discounts (in percentages) for each mitigation construction technique/combination of techniques. This report will be utilized as a guide for the Department of Insurance and the insurance industry for developing actuarially appropriate discounts, credits or other rate differentials, or appropriate reductions in deductibles, for properties on which fixtures or construction techniques demonstrated to reduce the amount of loss in a windstorm have been installed or implemented. Additional data that will enhance the program, such as studies to reflect property value increases for retrofitting or building to the established wind hazard mitigation construction techniques and cost comparison data collected to establish the value of this program against the investment required to include the mitigation measures, also may be provided.~~ An eligible dwelling must be a single-family residence and not a condominium or manufactured home;

(b) *** * *~~ Wind certification and hurricane mitigation inspections.~~**

~~(i) Home-retrofit inspections of site-built, residential property, including single-family, two-family, three-family or four-family residential units, and a set of representative commercial facilities may be offered to determine~~

~~what mitigation measures are needed and what improvements to existing residential properties are needed to reduce the property's vulnerability to hurricane damage. A state program may be established within the Department of Insurance to provide homeowners and business owners wind certification and hurricane mitigation inspections. The inspections provided to homeowners and business owners, at a minimum, must include:~~

~~1. A home inspection and report that summarizes the results and identifies corrective actions a homeowner may take to mitigate hurricane damage.~~

~~2. A range of cost estimates regarding the mitigation features.~~

~~3. Insurer-specific information regarding premium discounts correlated to recommended mitigation features identified by the inspection.~~

~~4. A hurricane resistance rating scale specifying the home's current as well as projected wind resistance capabilities.~~

~~This data may be provided by trained and certified inspectors in standardized reporting formats and forms to ensure all data collected during inspections is equivalent in style and content that allows construction data, estimates and discount information to be easily assimilated into a database. Data pertaining to the number of inspections and inspection reports may be stored in a~~

~~state database for evaluation of the program's success and review of state goals in reducing wind hazard loss in the state.~~

~~(ii) To qualify for selection by the department as a provider of wind certification and hurricane mitigation inspections services, the entity shall, at a minimum, and on a form and in the manner prescribed by the commissioner:~~

~~1. Use wind certification and hurricane mitigation inspectors who:~~

~~a. Have prior experience in residential and/or commercial construction or inspection and have received specialized training in hurricane mitigation procedures through the state certified program. In order to qualify for training in the inspection process, the individual should be either a licensed building code official, a licensed contractor or inspector in the State of Mississippi, or a civil engineer.~~

~~b. Have undergone drug testing and background checks.~~

~~c. Have been certified through a state mandated training program, in a manner satisfactory to the department, to conduct the inspections.~~

~~d. Have not been convicted of a felony crime of violence or of a sexual offense; have not received a first-time offender pardon or nonadjudication order for a felony crime of violence or of a sexual offense; or have not entered a~~

~~plea of guilty or nolo contendere to a felony charge of violence or of a sexual offense.~~

~~c. Submit a statement authorizing the Commissioner of Insurance to order fingerprint analysis or any other analysis or documents deemed necessary by the commissioner for the purpose of verifying the criminal history of the individual. The commissioner shall have the authority to conduct criminal history verification on a local, state or national level, and shall have the authority to require the individual to pay for the costs of such criminal history verification.~~

~~2. Provide a quality assurance program including a reinspection component.~~

~~3. Have data collection equipment and computer systems, so that data can be submitted electronically to the state's database of inspection reports, insurance certificates, and other industry information related to this program. It is mandatory that all inspectors provide original copies to the property owner of any inspection reports, estimates, etc., pertaining to the inspection and keep a copy of all inspection materials on hand for state audits.~~ The dwelling must be the applicant's primary residence;

(c) ~~*** * * Financial grants to retrofit properties.**~~ ~~Financial grants may be used to encourage single-family, site-built, owner-occupied, residential property owners or commercial property owners to retrofit their properties to make~~

~~them less vulnerable to hurricane damage. No financial grant made under this section shall exceed Ten Thousand Dollars ($10,000.00) per recipient.~~ The dwelling must be insured for windstorm loss and, if in a Special Flood Hazard Area, flood insurance is required;

(d) ***** ~~**Education and consumer awareness.** Multimedia public education, awareness and advertising efforts designed to specifically address the Strengthen Mississippi Homes Program may be employed, as well as a component to support ongoing consumer resources and referral services. In addition, all insurance companies shall provide notification to their clients regarding the availability of this program, participation details, and directions to the state website promoting the program, along with appropriate contact phone numbers to the state agency administrating the program. The notification to the clients must be sent by the insurance company within thirty (30) days after filing their insurance discount schedules with the Department of Insurance.~~ The dwelling is in good repair, excluding roof condition; and

(e) ***** ~~**Advisory council.** There is created an advisory council to provide advice and assistance to the program administrator with regard to his or her administration of the program. The advisory council shall consist of:~~

~~(i) An agent, selected by the Independent Insurance Agents of Mississippi.~~

~~(ii) Two (2) representatives of residential property insurers, selected by the Department of Insurance.~~

~~(iii) One (1) representative of homebuilders, selected by the Home Builders Association of Mississippi.~~

~~(iv) The Chairman of the House Insurance Committee, or his designee.~~

~~(v) The Chairman of the Senate Insurance Committee, or his designee.~~

~~(vi) The Executive Director of the Mississippi Windstorm Underwriting Association, or his designee.~~

~~(vii) The Director of the Mississippi Emergency Management Agency, or his designee.~~

~~Members appointed under subparagraphs (i) and (ii) shall serve at the pleasure of the Department of Insurance. All other members shall serve as voting ex officio members. Members of the advisory council who are not legislators, state officials or state employees shall be compensated at the per diem rate authorized by Section 25-3-69, and shall be reimbursed in accordance with Section 25-3-41, for mileage and actual expenses incurred in the performance of their duties. Legislative members of the advisory council shall be paid from the contingent expense funds of their respective houses in the same manner as provided for committee meetings when the Legislature is not in session; however, no per diem or expense for attending meetings of the advisory council may be paid while the Legislature is in session. No advisory council~~

~~member may incur per diem, travel or other expenses unless previously authorized by vote, at a meeting of the council, which action shall be recorded in the official minutes of the meeting. Nonlegislative members shall be paid from any funds made available to the advisory council for that purpose.~~ The dwelling has not previously been retrofitted to meet the IBHS FORTIFIED roof standard or an IBHS successor designation.

*** * *** ~~(f)~~ **Rules and regulations.** ~~The Department of Insurance may adopt rules and regulations governing the Comprehensive Hurricane Damage Mitigation Program. The department also may adopt rules and regulations establishing priorities for grants provided under this section based on objective criteria that gives priority to reducing the state's probable maximum loss from hurricanes. However, pursuant to this overall goal, the department may further establish priorities based on the insured value of the dwelling, whether or not the dwelling is insured by the Mississippi Windstorm Underwriting Association and whether or not the area under consideration has sufficient resources and the ability to perform the retrofitting required.~~

No grant shall be awarded to an approved applicant without the eligible dwelling being inspected by a qualified Insurance Institute for Business and Home Safety (IBHS) evaluator and the homeowner receives an IBHS FORTIFIED certificate. The Mississippi Department of Insurance shall adopt rules and regulations governing the Strengthen Mississippi Homes Program and funds

deposited into the Strengthen Mississippi Homes Fund pursuant to Section 83-5-73, Mississippi Code of 1972, and as appropriated by the Legislature, or funds from any other source.

(2) *** * *** ~~Nothing in this section shall prohibit the Department of Insurance from entering into an agreement with any other appropriate state agency to assist with or perform any of the duties set forth hereunder.~~ The Mississippi Department of Insurance may enter into contracts for personal or professional services with a third-party administrator(s) for implementing the Strengthen Mississippi Homes Program, administering funds according to source, and managing functions with the Strengthen Mississippi Homes Program. Administration and issuance costs of the Strengthen Mississippi Homes Program may vary by source of funds, but no more than five percent (5%) of annual deposits in the Strengthen Mississippi Homes Program Fund created in Section 83-5-73, Mississippi Code of 1972, may be used for the administration and issuance of grants with the Strengthen Mississippi Homes Program.

(3) The Mississippi Department of Insurance *** * *** ~~shall issue a request for proposals to contract with a third party for the administration of the Comprehensive Hurricane Damage Mitigation Program. The contract for the third-party administrator shall be funded from monies in the Comprehensive Hurricane Damage Mitigation Program Fund created in subsection (4) of this section, and that amount shall not exceed one percent (1%)~~

~~of the funds appropriated to the Department of Insurance for the program. If the third-party administrator selected through the request for proposals is replaced or is otherwise changed, the Department of Insurance shall notify the Chairs of the House and Senate Appropriations and Insurance Committees.~~ is authorized to enter into a contract with an appropriate state or federal agency, Mississippi Windstorm Underwriters Association, or any appropriate entity to act on behalf of, administer, and perform any of the duties within the Strengthen Mississippi Homes Program. The Mississippi Department of Insurance shall segregate funds received based on contracts with other entities. For funds provided by any source other than in Section 83-5-73, Mississippi Code of 1972:

(a) The Mississippi Department of Insurance may establish applicant eligibility requirements pursuant to and/or a condition of the source of funds.

(b) The Mississippi Department of Insurance may receive a fee for services or resources attributed to the direct and indirect costs of administering funds received for the Strengthen Mississippi Homes Program, which shall not be subject to the five percent (5%) administrative cap applicable to state-sourced funds.

(4) *** * *** ~~There are created a series of special funds in the State Treasury to be known as the Comprehensive Hurricane Damage Mitigation Program Fund. The fund shall consist of any monies from any source that are designated or made available for deposit into the fund. The Department of Insurance may apply for any~~

~~federal or private grants to provide additional funds for the special fund. Monies in the fund shall be expended by the Department of Insurance, upon appropriation by the Legislature, for the purposes as provided in this section. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.~~

(a) To meet the baseline eligibility requirements for the funds provided by legislative appropriation to the Strengthen Mississippi Homes Fund identified in Section 83-5-73, no financial grant made under this section shall exceed Ten Thousand Dollars ($10,000.00) per recipient. To be eligible for participation in the Strengthen Mississippi Homes Program and considered for a conditional grant, an applicant and subject dwelling must comply with rules and regulations of the program to meet or exceed the FORTIFIED roof standard of the Insurance Institute for Business and Home Safety (IBHS) or an IBHS successor designation. Applications shall be submitted via an online portal. Eligible applicants shall be selected through a lottery or other allocation mechanism established by the Mississippi Department of Insurance for eligibility requirements by source of funds and subject to the availability of funds. Upon successful completion of program requirements and receipt of the homeowners IBHS certificate, the Mississippi Department of Finance and Administration shall notify the applicant homeowner of the grant amount to be awarded to the

homeowner's certified building contractor and shall request information necessary for payment, as specified by the rules and regulations of the Mississippi Department of Insurance. Any grant award shall include the following language: "Funds were made available for this grant by the Mississippi State Legislature."

(b) For funds provided by any source other than those identified in Section 83-5—73, Mississippi Code of 1972, the Mississippi Department of Insurance may adjust grant maximums and eligibility criteria, including building code requirements, to remain in compliance with the specific mandates or conditions of that funding source.

(5) * * * ~~This section shall stand repealed from and after July 1, 2028.~~ There are created a series of special funds in the State Treasury to be known as the Strengthen Mississippi Homes Program Fund. Strengthen Mississippi Homes Funds may be segregated by source and eligibility requirements of funds. The funds shall consist of any monies from any source that are designated or made available for deposit into the funds. Monies in the fund shall be expended by the Mississippi Department of Insurance for the purposes as provided in this section. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund. Grants shall be subject to the annual appropriation of the Legislature.

(6) There is hereby created the Strengthen Mississippi Homes Program Advisory Council for the purpose of advising the Mississippi Department of Insurance in performance, efficiency, and operations of the Strengthen Mississippi Homes Program. The Mississippi Department of Insurance shall call a meeting of the advisory council in the months of January, June, and October of each year. The advisory council shall be composed of the following:

(a) Three (3) members of the Senate appointed by the Lieutenant Governor, one (1) to be from each Mississippi Public Service Commission District, and one (1) of whom shall be the Chairman of the Senate Insurance Committee, or their designees;

(b) Three (3) members of the House of Representatives appointed by the Speaker of the House, one (1) to be from each Mississippi Public Service Commission District, and one (1) of whom shall be the Chairman of the House of Representatives Insurance Committee, or their designees; and

(c) The Executive Director of the Mississippi Windstorm Underwriters Association.

Members of the advisory council shall receive per diem and expenses which shall be paid from the contingent expense funds of their respective houses in the same amounts as provided for committee meetings when the Legislature is not in session; however, no per diem and expenses for attending meetings of the

advisory council shall be paid to legislative members while the Legislature is in session.

(7) No later than December 1 of each year, the Mississippi Department of Insurance shall submit to the Governor and the Legislature a report detailing for that calendar year the number of grants awarded; the number of homes mitigated; the number of IBHS FORTIFIED certificates issued; the estimated amount of premium discounts grant recipients were given through this program; a map with the location of awards granted; and the number of awards granted in each county. This report shall also be made public by placing it on the department's website.

SECTION 3. Section 83-5-73, Mississippi Code of 1972, is amended as follows:

83-5-73. The commissioner shall collect and pay into the special fund in the State Treasury designated as the "Insurance Department Fund" the following fees: for certificate of authority to each general or district agent or manager, Twenty-five Dollars ($25.00); for filing and processing an agent's certificate of authority, * * * ~~Twenty-five Dollars ($25.00)~~ Fifty Dollars ($50.00); for filing and examining statement preliminary to admission, One Thousand Dollars ($1,000.00); for filing and processing a Form A application, Two Thousand Dollars ($2,000.00); for filing and auditing annual 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, 2026, 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.

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 4. This act shall take effect and be in force from and after its passage.