

20121996er

1
2 An act relating to the Department of Economic
3 Opportunity; repealing s. 49 of chapter 2011-47, Laws
4 of Florida; abrogating the future expiration of an
5 amendment to s. 163.3247(3)(d), F.S., to nullify the
6 reversion of the text of that paragraph to that in
7 existence on June 30, 2010; repealing s. 51 of chapter
8 2011-47, Laws of Florida; abrogating the future
9 expiration of an amendment to s. 201.15(1)(c)2., F.S.,
10 to nullify the reversion of the text of that
11 subparagraph to that in existence on June 30, 2010;
12 requiring the Auditor General and the Office of
13 Program Policy Analysis and Government Accountability
14 to conduct a joint audit and review of the Florida
15 Housing Finance Corporation; amending s. 420.507,
16 F.S.; revising powers of the Florida Housing Finance
17 Corporation; amending s. 420.5087, F.S.; revising
18 provisions relating to the State Apartment Incentive
19 Loan Program; authorizing the corporation to accept
20 payment of deferred program interest under certain
21 circumstances; providing funding for projects that
22 meet certain criteria; providing for future
23 expiration; amending s. 445.009, F.S.; deleting the
24 future expiration of provisions authorizing workers'
25 compensation coverage for a participant in an adult or
26 youth work experience activity; directing the
27 Department of Economic Opportunity to prepare draft
28 legislation to conform the Florida Statutes to the
29 provisions of the act; requiring that the department

20121996er

30 submit the draft legislation to the Governor and
31 Legislature by a specified date; authorizing a local
32 governmental entity that is an independent special
33 district providing certain utility services to reduce
34 its rates by resolution for a specified time for a
35 user that will provide a community benefit; providing
36 effective dates.

37
38 Be It Enacted by the Legislature of the State of Florida:

39
40 Section 1. Section 49 of chapter 2011-47, Laws of Florida,
41 is repealed.

42 Section 2. Section 51 of chapter 2011-47, Laws of Florida,
43 is repealed.

44 Section 3. The Auditor General and the Office of Program
45 Policy Analysis and Government Accountability shall conduct a
46 joint audit and review of the programs and operations of the
47 Florida Housing Finance Corporation, and shall jointly develop a
48 work plan for such audit and review to be submitted to the
49 President of the Senate and the Speaker of the House of
50 Representatives no later than July 1, 2012. The audit and review
51 shall encompass, at a minimum, a review of the corporation's
52 assets, liabilities, income, and operating expenses; the
53 internal management, financial and operational controls
54 employed, and programmatic decisionmaking processes used; the
55 governance, direction, and oversight provided by the Florida
56 Housing Finance Corporation Board of Directors; and the
57 performance outcomes of the programs administered by the Florida
58 Housing Finance Corporation. The audit and review shall also

20121996er

59 include formulation of recommendations to the Legislature for
60 changes to the structure, governance, and operational processes
61 of the Florida Housing Finance Corporation. Unless otherwise
62 directed in writing jointly by the President of the Senate and
63 the Speaker of the House of Representatives, a written report on
64 the audit and review shall be submitted to the President of the
65 Senate and the Speaker of the House of Representatives no later
66 than December 1, 2012. This section shall take effect upon this
67 act becoming a law.

68 Section 4. Subsection (48) is added to section 420.507,
69 Florida Statutes, to read:

70 420.507 Powers of the corporation.—The corporation shall
71 have all the powers necessary or convenient to carry out and
72 effectuate the purposes and provisions of this part, including
73 the following powers which are in addition to all other powers
74 granted by other provisions of this part:

75 (48) To use up to 10 percent of its annual allocation of
76 low-income housing tax credits, nontaxable revenue bonds, and
77 State Apartment Incentive Loan Program funds appropriated by the
78 Legislature and available to allocate by request for proposals
79 or other competitive solicitation funding for high-priority
80 affordable housing projects, such as housing to support economic
81 development and job-creation initiatives, housing for veterans
82 and their families, and other special needs populations in
83 communities throughout the state as determined by the
84 corporation on an annual basis.

85 Section 5. Subsections (9) and (10) are added to section
86 420.5087, Florida Statutes, to read:

87 420.5087 State Apartment Incentive Loan Program.—There is

20121996er

88 hereby created the State Apartment Incentive Loan Program for
89 the purpose of providing first, second, or other subordinated
90 mortgage loans or loan guarantees to sponsors, including for-
91 profit, nonprofit, and public entities, to provide housing
92 affordable to very-low-income persons.

93 (9) The corporation is authorized to accept payment of
94 deferred program interest at an interest rate that is consistent
95 with rates currently authorized under this section, if the
96 deferred interest is paid in not more than five equal annual
97 installments, subject to the qualifications contained in this
98 subsection.

99 (10) Funding under this subsection shall be to preserve
100 existing projects having financing guaranteed under the Florida
101 Affordable Housing Guarantee Program pursuant to s. 420.5092.

102 (a) A project shall be given priority for funding if:

103 1. It was approved by the corporation board in calendar
104 year 2011 to provide additional units for extremely-low-income
105 persons as defined in s. 420.0004;

106 2. The Guarantee Program mortgage note was executed and
107 recorded not later than September 30, 2003;

108 3. It commits to provide additional units for extremely-
109 low-income persons; and

110 4. The shareholders, members, or partners of the project
111 owner have funded deficits in an amount that is not less than 20
112 percent of the State Apartment Incentive Loan not later than
113 closing of any financing made under this subsection.

114 (b) The maximum amount that may be funded under this
115 subsection is \$2.5 million per project.

116 (c) This subsection expires June 30, 2013.

20121996er

117 Section 6. Subsection (11) of section 445.009, Florida
118 Statutes, is amended to read:

119 445.009 One-stop delivery system.—

120 (11) A participant in an adult or youth work experience
121 activity administered under this chapter shall be deemed an
122 employee of the state for purposes of workers' compensation
123 coverage. In determining the average weekly wage, all
124 remuneration received from the employer shall be considered a
125 gratuity, and the participant is ~~shall~~ not be entitled to any
126 benefits otherwise payable under s. 440.15, regardless of
127 whether the participant may be receiving wages and remuneration
128 from other employment with another employer and regardless of
129 his or her future wage-earning capacity. ~~This subsection expires~~
130 ~~July 1, 2012.~~

131 Section 7. The Legislature recognizes that there is a need
132 to conform the Florida Statutes to the policy decisions
133 reflected in this act. Therefore, the Department of Economic
134 Opportunity is directed to prepare draft legislation to conform
135 the Florida Statutes to the provisions of this act. The
136 department shall submit the draft legislation to the Governor,
137 the President of the Senate, and the Speaker of the House of
138 Representatives on or before October 1, 2012.

139 Section 8. If the governing body of an independent special
140 district that provides water, wastewater, and sanitation
141 services in a disproportionately affected county, as defined in
142 s. 288.106(8), Florida Statutes, determines that a new user or
143 the expansion of an existing user of one or more of its utility
144 systems will provide a significant benefit to the community in
145 terms of increased job opportunities, economies of scale, or

20121996er

146 economic development in the area, the governing body may
147 authorize a reduction of its rates, fees, or charges for that
148 user for a specified period of time. A governing body that
149 exercises this power must do so by resolution that states the
150 anticipated economic benefit justifying the reduction as well as
151 the period of time that the reduction will remain in place.

152 Section 9. Except as otherwise expressly provided in this
153 act and except for this section, which shall take effect upon
154 this act becoming a law, this act shall take effect July 1,
155 2012.