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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/15/2016	.	
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Appropriations Subcommittee on Transportation, Tourism, and  
Economic Development (Detert) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 86 - 618

and insert:

Section 1. Subsection (36) of section 420.503, Florida  
Statutes, is amended to read:

420.503 Definitions.—As used in this part, the term:

(36) "Service provider," except as otherwise defined in s.  
420.512(5), means a law firm, investment bank, certified public  
accounting firm, auditor, trustee bank, credit underwriter,



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11 homeowner loan servicer, or any other provider of services to  
12 the corporation which offers to perform or performs services to  
13 the corporation or other provider for fees in excess of \$35,000  
14 ~~\$25,000~~ in the aggregate during any fiscal year of the  
15 corporation. The term includes the agents, officers, principals,  
16 and professional employees of the service provider.

17 Section 2. Paragraphs (a) and (b) of subsection (22) of  
18 section 420.507, Florida Statutes, are amended, present  
19 paragraphs (d) through (i) of that subsection are redesignated  
20 as (e) through (j), respectively, a new paragraph (d) is added  
21 to that subsection, and subsection (35) of that section is  
22 amended, to read:

23 420.507 Powers of the corporation.—The corporation shall  
24 have all the powers necessary or convenient to carry out and  
25 effectuate the purposes and provisions of this part, including  
26 the following powers which are in addition to all other powers  
27 granted by other provisions of this part:

28 (22) To develop and administer the State Apartment  
29 Incentive Loan Program. In developing and administering that  
30 program, the corporation may:

31 (a) Make first, second, and other subordinated mortgage  
32 loans including variable or fixed rate loans subject to  
33 contingent interest for all State Apartment Incentive Loans  
34 provided in this chapter based upon available cash flow of the  
35 projects. The corporation shall make loans exceeding 25 percent  
36 of project cost only to nonprofit organizations and public  
37 bodies that are able to secure grants, donations of land, or  
38 contributions from other sources and to projects meeting the  
39 criteria of subparagraph 1. Mortgage loans shall be made



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40 available at the following rates of interest:

41 1. Zero to 3 percent interest for sponsors of projects that  
42 set aside at least 80 percent of their total units for residents  
43 qualifying as farmworkers, commercial fishing workers, the  
44 homeless as defined in s. 420.621, or persons with special needs  
45 as defined in s. 420.0004(13) over the life of the loan.

46 2. Zero to 3 percent interest based on the pro rata share  
47 of units set aside for homeless residents or persons with  
48 special needs if the total of such units is less than 80 percent  
49 of the units in the borrower's project.

50 3. One to 9 percent interest for sponsors of projects  
51 targeted at populations other than farmworkers, commercial  
52 fishing workers, ~~the homeless persons~~, or persons with special  
53 needs.

54 (b) Make loans exceeding 25 percent of project cost when  
55 the project serves extremely-low-income persons or projects as  
56 provided in paragraph (d).

57 (d) In counties or rural areas of counties that do not have  
58 existing units set aside for homeless persons, forgive  
59 indebtedness for loans provided to create permanent rental  
60 housing units for persons who are homeless, as defined in s.  
61 420.621(5), or for persons residing in time-limited transitional  
62 housing or institutions as a result of a lack of permanent,  
63 affordable housing. Such developments must be supported by a  
64 local homeless assistance continuum of care developed under s.  
65 420.624; be developed by nonprofit applicants; be small  
66 properties as defined by corporation rule; and be a project in  
67 the local housing assistance continuum of care plan recognized  
68 by the State Office on Homelessness.



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69 (35) To preclude from further participation in any of the  
70 corporation's programs, ~~for a period of up to 2 years,~~ any  
71 applicant or affiliate of an applicant which has made a material  
72 misrepresentation or engaged in fraudulent actions in connection  
73 with any application for a corporation program.

74 Section 3. Subsections (1) and (3), paragraphs (b), (f),  
75 and (k) of subsection (6), and subsection (10) of section  
76 420.5087, Florida Statutes, are amended to read:

77 420.5087 State Apartment Incentive Loan Program.—There is  
78 hereby created the State Apartment Incentive Loan Program for  
79 the purpose of providing first, second, or other subordinated  
80 mortgage loans or loan guarantees to sponsors, including for-  
81 profit, nonprofit, and public entities, to provide housing  
82 affordable to very-low-income persons.

83 (1) Program funds shall be made available through a  
84 competitive solicitation process ~~distributed over successive 3-~~  
85 ~~year periods~~ in a manner that meets the need and demand for  
86 very-low-income housing throughout the state. That need and  
87 demand must be determined by using the most recent statewide  
88 low-income rental housing market studies conducted every 3 years  
89 ~~available at the beginning of each 3-year period.~~ However, at  
90 least 10 percent of the program funds, as calculated on an  
91 annual basis, ~~distributed during a 3-year period~~ must be made  
92 available ~~allocated~~ to each of the following categories of  
93 counties, ~~as determined by using the population statistics~~  
94 published in the most recent edition of the Florida Statistical  
95 Abstract:

96 (a) Counties that have a population of 825,000 or more.

97 (b) Counties that have a population of more than 100,000



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98 but less than 825,000.

99 (c) Counties that have a population of 100,000 or less.

100

101 Any increase in funding required to reach the 10-percent minimum  
102 shall be taken from the county category that has the largest  
103 portion of the funding allocation. The corporation shall adopt  
104 rules that ~~which~~ establish an equitable process for distributing  
105 any portion of the 10 percent of program funds made available  
106 ~~allocated~~ to the county categories specified in this subsection  
107 which remains unallocated ~~at the end of a 3-year period~~.

108 Counties that have a population of 100,000 or less shall be  
109 given preference under these rules.

110 (3) During the first 6 months of loan or loan guarantee  
111 availability, program funds shall be made available ~~reserved~~ for  
112 use by sponsors who provide the housing set-aside required in  
113 subsection (2) for the tenant groups designated in this  
114 subsection. The ~~reservation of funds~~ made available to each of  
115 these groups shall be determined using the most recent statewide  
116 very-low-income rental housing market study available at the  
117 time of publication of each notice of fund availability required  
118 by paragraph (6) (b). The ~~reservation of funds~~ made available  
119 within each notice of fund availability to the tenant groups in  
120 paragraphs (b)-(e) ~~(a), (b), and (e)~~ may not be less than 10  
121 percent of the funds available at that time. Any increase in  
122 funding required to reach the required ~~10-percent~~ minimum must  
123 be taken from the tenant group that would receive ~~has~~ the  
124 largest percentage of available funds in accordance with the  
125 study ~~reservation~~. The ~~reservation of funds~~ made available  
126 within each notice of fund availability to the tenant group in



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127 paragraph (a) ~~(e)~~ may not be less than 5 percent of the funds  
128 available at that time. ~~The reservation of funds within each~~  
129 ~~notice of fund availability to the tenant group in paragraph (d)~~  
130 ~~may not be more than 10 percent of the funds available at that~~  
131 ~~time.~~ The tenant groups are:

132 (a) Commercial fishing workers and farmworkers;

133 (b) Families;

134 (c) Persons who are homeless;

135 (d) Persons with special needs; and

136 (e) Elderly persons. Ten percent of the amount made  
137 available ~~reserved~~ for the elderly shall ~~be reserved to~~ provide  
138 loans to sponsors of housing for the elderly for the purpose of  
139 making building preservation, health, or sanitation repairs or  
140 improvements which are required by federal, state, or local  
141 regulation or code, or lifesafety or security-related repairs or  
142 improvements to such housing. Such a loan may not exceed  
143 \$750,000 per housing community for the elderly. In order to  
144 receive the loan, the sponsor of the housing community must make  
145 a commitment to match at least 5 percent of the loan amount to  
146 pay the cost of such repair or improvement. The corporation  
147 shall establish the rate of interest on the loan, which may not  
148 exceed 3 percent, and the term of the loan, which may not exceed  
149 15 years; however, if the lien of the corporation's encumbrance  
150 is subordinate to the lien of another mortgagee, then the term  
151 may be made coterminous with the longest term of the superior  
152 lien. The term of the loan shall be based on a credit analysis  
153 of the applicant. The corporation may forgive indebtedness for a  
154 share of the loan attributable to the units in a project  
155 reserved for extremely-low-income elderly by nonprofit



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156 organizations, as defined in s. 420.0004(5), where the project  
157 has provided affordable housing to the elderly for 15 years or  
158 more. The corporation shall establish, by rule, the procedure  
159 and criteria for receiving, evaluating, and competitively  
160 ranking all applications for loans under this paragraph. A loan  
161 application must include evidence of the first mortgagee's  
162 having reviewed and approved the sponsor's intent to apply for a  
163 loan. A nonprofit organization or sponsor may not use the  
164 proceeds of the loan to pay for administrative costs, routine  
165 maintenance, or new construction.

166 (6) On all state apartment incentive loans, except loans  
167 made to housing communities for the elderly to provide for  
168 lifesafety, building preservation, health, sanitation, or  
169 security-related repairs or improvements, the following  
170 provisions shall apply:

171 (b) The corporation shall publish a notice of fund  
172 availability in a publication of general circulation throughout  
173 the state. Such notice shall be published at least 60 days prior  
174 to the application deadline and shall provide notice of the  
175 availability ~~temporary reservations~~ of funds established in  
176 subsection (3).

177 (f) The review committee established by corporation rule  
178 pursuant to this subsection shall make recommendations to the  
179 board of directors of the corporation regarding program  
180 participation under the State Apartment Incentive Loan Program.  
181 The corporation board shall make the final decisions regarding  
182 which applicants shall become program participants based on the  
183 scores received in the competitive process, further review of  
184 applications, and the recommendations of the review committee.



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185 The corporation board shall approve or reject applications for  
186 loans and shall determine the tentative loan amount available to  
187 each applicant selected for participation in the program. The  
188 actual loan amount shall be determined pursuant to rule adopted  
189 pursuant to s. 420.507(22)(i) ~~s. 420.507(22)(h)~~.

190 (k) Rent controls shall ~~not be allowed on any project~~  
191 ~~except as required in conjunction with the issuance of tax-~~  
192 ~~exempt bonds or federal low-income housing tax credits and~~  
193 ~~except when the sponsor has committed to set aside units for~~  
194 ~~extremely low-income persons, in which case rents shall be set~~  
195 ~~restricted at the income set-aside levels committed to by the~~  
196 ~~sponsor at the level applicable income limitations established~~  
197 ~~by the corporation for federal low-income tax credits.~~

198 ~~(10)(a) Notwithstanding subsection (3), for the 2015-2016~~  
199 ~~fiscal year, the reservation of funds for the tenant groups~~  
200 ~~within each notice of fund availability shall be:~~

201 ~~1. Not less than 10 percent of the funds available at that~~  
202 ~~time for the following tenant groups:~~

- 203 ~~a. Families;~~
- 204 ~~b. Persons who are homeless;~~
- 205 ~~e. Persons with special needs; and~~
- 206 ~~d. Elderly persons.~~

207 ~~2. Not less than 5 percent of the funds available at that~~  
208 ~~time for the commercial fishing workers and farmworkers tenant~~  
209 ~~group.~~

210 ~~(b) This subsection expires July 1, 2016.~~

211 Section 4. Subsection (5) of section 420.511, Florida  
212 Statutes, is amended to read:

213 420.511 Strategic business plan; long-range program plan;





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214 annual report; audited financial statements.-

215 (5) The Auditor General shall conduct an operational audit  
216 of the accounts and records of the corporation and provide a  
217 written report on the audit to the President of the Senate and  
218 the Speaker of the House of Representatives by December 1, 2016.  
219 ~~Both the corporation's business plan and annual report must~~  
220 ~~recognize the different fiscal periods under which the~~  
221 ~~corporation, the state, the Federal Government, and local~~  
222 ~~governments operate.~~

223 Section 5. Paragraphs (a) and (b) of subsection (3) and  
224 subsections (4), (5), and (6) of section 420.622, Florida  
225 Statutes, are amended to read:

226 420.622 State Office on Homelessness; Council on  
227 Homelessness.-

228 (3) The State Office on Homelessness, pursuant to the  
229 policies set by the council and subject to the availability of  
230 funding, shall:

231 (a) Coordinate among state, local, and private agencies and  
232 providers to produce a statewide consolidated inventory program  
233 ~~and financial plan~~ for the state's entire system of homeless  
234 programs which incorporates regionally developed plans. Such  
235 programs include, but are not limited to:

236 1. Programs authorized under the Stewart B. McKinney  
237 Homeless Assistance Act of 1987, 42 U.S.C. ss. 11371 et seq.,  
238 and carried out under funds awarded to this state; and

239 2. Programs, components thereof, or activities that assist  
240 persons who are homeless or at risk for homelessness.

241 (b) Collect, maintain, and make available information  
242 concerning persons who are homeless or at risk for homelessness,



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243 including demographics information, current services and  
244 resources available, the cost and availability of services and  
245 programs, and the met and unmet needs of this population. All  
246 entities that receive state funding must provide access to all  
247 data they maintain in summary form, with no individual  
248 identifying information, to assist the council in providing this  
249 information. The State Office on Homelessness shall establish a  
250 task force to make recommendations regarding the implementation  
251 of a statewide Homeless Management Information System (HMIS).  
252 The task force shall define the conceptual framework of such a  
253 system; study existing statewide HMIS models; establish an  
254 inventory of local HMIS systems, including providers and license  
255 capacity; examine the aggregated reporting being provided by  
256 local continuums of care; complete an analysis of current  
257 continuum of care resources; and provide recommendations on the  
258 costs and benefits of implementing a statewide HMIS. The task  
259 force shall also make recommendations regarding the development  
260 of a statewide, centralized coordinated assessment system in  
261 conjunction with the implementation of a statewide HMIS. The  
262 task force findings must be reported to the Council on  
263 Homelessness no later than December 31, 2016. ~~The council shall~~  
264 ~~explore the potential of creating a statewide Management~~  
265 ~~Information System (MIS), encouraging the future participation~~  
266 ~~of any bodies that are receiving awards or grants from the~~  
267 ~~state, if such a system were adopted, enacted, and accepted by~~  
268 ~~the state.~~

269 (4) The State Office on Homelessness, with the concurrence  
270 of the Council on Homelessness, shall ~~may~~ accept and administer  
271 moneys appropriated to it to provide annual "Challenge Grants"



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272 to lead agencies of homeless assistance continuums of care  
273 designated by the State Office on Homelessness pursuant to s.  
274 420.624. The department shall establish varying levels of grant  
275 awards up to \$500,000 per lead agency. ~~Award levels shall be~~  
276 ~~based upon the total population within the continuum of care~~  
277 ~~catchment area and reflect the differing degrees of homelessness~~  
278 ~~in the catchment planning areas.~~ The department, in consultation  
279 with the Council on Homelessness, shall specify a grant award  
280 level in the notice of the solicitation of grant applications.

281 (a) To qualify for the grant, a lead agency must develop  
282 and implement a local homeless assistance continuum of care plan  
283 for its designated catchment area. The continuum of care plan  
284 must implement a coordinated assessment or central intake system  
285 to screen, assess, and refer persons seeking assistance to the  
286 appropriate service provider. The lead agency shall also  
287 document the commitment of local government and private  
288 organizations to provide matching funds or in-kind support in an  
289 amount equal to the grant requested. Expenditures of leveraged  
290 funds or resources, including third-party cash or in-kind  
291 contributions, are permitted only for eligible activities  
292 committed on one project which have not been used as leverage or  
293 match for any other project or program and must be certified  
294 through a written commitment.

295 (b) Preference must be given to those lead agencies that  
296 have demonstrated the ability of their continuum of care to  
297 provide quality services to homeless persons and the ability to  
298 leverage federal homeless-assistance funding under the Stewart  
299 B. McKinney Act and private funding for the provision of  
300 services to homeless persons.



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301 (c) Preference must be given to lead agencies in catchment  
302 areas with the greatest need for the provision of housing and  
303 services to the homeless, relative to the population of the  
304 catchment area.

305 (d) The grant may be used to fund any of the housing,  
306 program, or service needs included in the local homeless  
307 assistance continuum of care plan. The lead agency may allocate  
308 the grant to programs, services, or housing providers that  
309 implement the local homeless assistance continuum care plan. The  
310 lead agency may provide subgrants to a local agency to implement  
311 programs or services or provide housing identified for funding  
312 in the lead agency's application to the department. A lead  
313 agency may spend a maximum of 8 percent of its funding on  
314 administrative costs.

315 (e) The lead agency shall submit a final report to the  
316 department documenting the outcomes achieved by the grant in  
317 enabling persons who are homeless to return to permanent housing  
318 thereby ending such person's episode of homelessness.

319 (5) The State Office on Homelessness, with the concurrence  
320 of the Council on Homelessness, may administer moneys  
321 appropriated to it to provide homeless housing assistance grants  
322 annually to lead agencies for local homeless assistance  
323 continuum of care, as recognized by the State Office on  
324 Homelessness, to acquire, construct, or rehabilitate  
325 transitional or permanent housing units for homeless persons.  
326 These moneys shall consist of any sums that the state may  
327 appropriate, as well as money received from donations, gifts,  
328 bequests, or otherwise from any public or private source, which  
329 are intended to acquire, construct, or rehabilitate transitional



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330 or permanent housing units for homeless persons.

331 (a) Grant applicants shall be ranked competitively.  
332 Preference must be given to applicants who leverage additional  
333 private funds and public funds, particularly federal funds  
334 designated for the acquisition, construction, or rehabilitation  
335 of transitional or permanent housing for homeless persons; who  
336 acquire, build, or rehabilitate the greatest number of units; or  
337 ~~and~~ who acquire, build, or rehabilitate in catchment areas  
338 having the greatest need for housing for the homeless relative  
339 to the population of the catchment area.

340 (b) Funding for any particular project may not exceed  
341 \$750,000.

342 (c) Projects must reserve, for a minimum of 10 years, the  
343 number of units acquired, constructed, or rehabilitated through  
344 homeless housing assistance grant funding to serve persons who  
345 are homeless at the time they assume tenancy.

346 (d) No more than two grants may be awarded annually in any  
347 given local homeless assistance continuum of care catchment  
348 area.

349 (e) A project may not be funded which is not included in  
350 the local homeless assistance continuum of care plan, as  
351 recognized by the State Office on Homelessness, for the  
352 catchment area in which the project is located.

353 (f) The maximum percentage of funds that the State Office  
354 on Homelessness and each applicant may spend on administrative  
355 costs is 5 percent.

356 (6) The State Office on Homelessness, in conjunction with  
357 the Council on Homelessness, shall establish performance  
358 measures and specific objectives by which it may ~~to~~ evaluate the



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359 ~~effective~~ performance and outcomes of lead agencies that receive  
360 grant funds. Any funding through the State Office on  
361 Homelessness shall be distributed to lead agencies based on  
362 their overall performance and their achievement of specified  
363 objectives. Each lead agency for which grants are made under  
364 this section shall provide the State Office on Homelessness a  
365 thorough evaluation of the effectiveness of the program in  
366 achieving its stated purpose. In evaluating the performance of  
367 the lead agencies, the State Office on Homelessness shall base  
368 its criteria upon the program objectives, goals, and priorities  
369 that were set forth by the lead agencies in their proposals for  
370 funding. Such criteria may include, but not be limited to, the  
371 number of persons or households that are no longer homeless, the  
372 rate of recidivism to homelessness, and the number of persons  
373 who obtain gainful employment ~~homeless individuals provided~~  
374 ~~shelter, food, counseling, and job training.~~

375 Section 6. Subsections (3), (7), and (8) of section  
376 420.624, Florida Statutes, are amended to read:

377 420.624 Local homeless assistance continuum of care.-

378 (3) Communities or regions seeking to implement a local  
379 homeless assistance continuum of care are encouraged to develop  
380 and annually update a written plan that includes a vision for  
381 the continuum of care, an assessment of the supply of and demand  
382 for housing and services for the homeless population, and  
383 specific strategies and processes for providing the components  
384 of the continuum of care. The State Office on Homelessness, in  
385 conjunction with the Council on Homelessness, shall include in  
386 the plan a methodology for assessing performance and outcomes.

387 The State Office on Homelessness shall supply a standardized



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388 format for written plans, including the reporting of data.  
389 (7) The components of a continuum of care plan should  
390 include:  
391 (a) Outreach, intake, and assessment procedures in order to  
392 identify the service and housing needs of an individual or  
393 family and to link them with appropriate housing, services,  
394 resources, and opportunities;  
395 (b) Emergency shelter, in order to provide a safe, decent  
396 alternative to living in the streets;  
397 (c) Transitional housing;  
398 (d) Supportive services, designed to assist with the  
399 development of the skills necessary to secure and retain  
400 permanent housing;  
401 (e) Permanent supportive housing;  
402 (f) Rapid ReHousing, as specified in s. 420.6265;  
403 (g)~~(f)~~ Permanent housing;  
404 (h)~~(g)~~ Linkages and referral mechanisms among all  
405 components to facilitate the movement of individuals and  
406 families toward permanent housing and self-sufficiency;  
407 (i)~~(h)~~ Services and resources to prevent housed persons  
408 from becoming or returning to homelessness; and  
409 (j)~~(i)~~ An ongoing planning mechanism to address the needs  
410 of all subgroups of the homeless population, including but not  
411 limited to:  
412 1. Single adult males;  
413 2. Single adult females;  
414 3. Families with children;  
415 4. Families with no children;  
416 5. Unaccompanied children and youth;



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- 417           6. Elderly persons;  
418           7. Persons with drug or alcohol addictions;  
419           8. Persons with mental illness;  
420           9. Persons with dual or multiple physical or mental  
421 disorders;  
422           10. Victims of domestic violence; and  
423           11. Persons living with HIV/AIDS.

424           (8) Continuum of care plans must promote participation by  
425 all interested individuals and organizations and may not exclude  
426 individuals and organizations on the basis of race, color,  
427 national origin, sex, handicap, familial status, or religion.  
428 Faith-based organizations must be encouraged to participate. To  
429 the extent possible, these components must ~~should~~ be coordinated  
430 and integrated with other mainstream health, social services,  
431 and employment programs for which homeless populations may be  
432 eligible, including Medicaid, State Children's Health Insurance  
433 Program, Temporary Assistance for Needy Families, Food  
434 Assistance Program, and services funded through the Mental  
435 Health and Substance Abuse Block Grant, the Workforce Investment  
436 Act, and the welfare-to-work grant program.

437           Section 7. Section 420.6265, Florida Statutes, is created  
438 to read:

439           420.6265 Rapid ReHousing.-

440           (1) LEGISLATIVE FINDINGS AND INTENT.-

441           (a) The Legislature finds that Rapid ReHousing is a  
442 strategy of using temporary financial assistance and case  
443 management to quickly move an individual or family out of  
444 homelessness and into permanent housing.

445           (b) The Legislature also finds that public and private





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446 solutions to homelessness in the past have focused on providing  
447 individuals and families who are experiencing homelessness with  
448 emergency shelter, transitional housing, or a combination of  
449 both. While emergency shelter and transitional housing programs  
450 may provide critical access to services for individuals and  
451 families in crisis, the programs often fail to address their  
452 long-term needs.

453 (c) The Legislature further finds that most households  
454 become homeless as a result of a financial crisis that prevents  
455 individuals and families from paying rent or a domestic conflict  
456 that results in one member being ejected or leaving without  
457 resources or a plan for housing.

458 (d) The Legislature further finds that Rapid ReHousing is  
459 an alternative approach to the current system of emergency  
460 shelter or transitional housing which tends to reduce the length  
461 of time a person is homeless and has proven to be cost  
462 effective.

463 (e) It is therefore the intent of the Legislature to  
464 encourage homeless continuums of care to adopt the Rapid  
465 ReHousing approach to preventing homelessness for individuals  
466 and families who do not require the intense level of supports  
467 provided in the permanent supportive housing model.

468 (2) RAPID REHOUSING METHODOLOGY.—

469 (a) The Rapid ReHousing response to homelessness differs  
470 from traditional approaches to addressing homelessness by  
471 focusing on each individual's or family's barriers to housing.  
472 By using this approach, communities can significantly reduce the  
473 amount of time that individuals and families are homeless and  
474 prevent further episodes of homelessness.



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475           (b) In Rapid ReHousing, an individual or family is  
476 identified as being homeless, temporary assistance is provided  
477 to allow the individual or family to obtain permanent housing as  
478 quickly as possible, and, if needed, assistance is provided to  
479 allow the individual or family to retain housing.

480           (c) The objective of Rapid ReHousing is to provide  
481 assistance for as short a term as possible so that the  
482 individual or family receiving assistance does not develop a  
483 dependency on the assistance.

484           Section 8. Subsections (16), (25), and (26) of section  
485 420.9071, Florida Statutes, are amended to read:

486           420.9071 Definitions.—As used in ss. 420.907-420.9079, the  
487 term:

488           (16) "Local housing incentive strategies" means local  
489 regulatory reform or incentive programs to encourage or  
490 facilitate affordable housing production, which include at a  
491 minimum, assurance that permits ~~as defined in s. 163.3164~~ for  
492 affordable housing projects are expedited to a greater degree  
493 than other projects, as provided in s. 163.3177(6)(f)3.; an  
494 ongoing process for review of local policies, ordinances,  
495 regulations, and plan provisions that increase the cost of  
496 housing prior to their adoption; and a schedule for implementing  
497 the incentive strategies. Local housing incentive strategies may  
498 also include other regulatory reforms, such as those enumerated  
499 in s. 420.9076 or those recommended by the affordable housing  
500 advisory committee in its triennial evaluation of the  
501 implementation of affordable housing incentives, and adopted by  
502 the local governing body.

503           (25) "Recaptured funds" means funds that are recouped by a



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504 county or eligible municipality in accordance with the recapture  
505 provisions of its local housing assistance plan pursuant to s.  
506 420.9075(5)(i) ~~s. 420.9075(5)(h)~~ from eligible persons or  
507 eligible sponsors, which funds were not used for assistance to  
508 an eligible household for an eligible activity, when there is a  
509 default on the terms of a grant award or loan award.

510 (26) "Rent subsidies" means ongoing monthly rental  
511 assistance. ~~The term does not include initial assistance to~~  
512 ~~tenants, such as grants or loans for security and utility~~  
513 ~~deposits.~~

514 Section 9. Paragraph (b) of subsection (3) and subsection  
515 (7) of section 420.9072, Florida Statutes, are amended to read:

516 420.9072 State Housing Initiatives Partnership Program.—The  
517 State Housing Initiatives Partnership Program is created for the  
518 purpose of providing funds to counties and eligible  
519 municipalities as an incentive for the creation of local housing  
520 partnerships, to expand production of and preserve affordable  
521 housing, to further the housing element of the local government  
522 comprehensive plan specific to affordable housing, and to  
523 increase housing-related employment.

524 (3)

525 (b) Within 45 ~~30~~ days after receiving a plan, the review  
526 committee shall review the plan and either approve it or  
527 identify inconsistencies with the requirements of the program.  
528 The corporation shall assist a local government in revising its  
529 plan if it initially proves to be inconsistent with program  
530 requirements. A plan that is revised by the local government to  
531 achieve consistency with program requirements shall be reviewed  
532 within 45 ~~30~~ days after submission. The deadlines for submitting



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533 original and revised plans shall be established by corporation  
534 rule; however, the corporation shall not require submission of a  
535 new local housing assistance plan to implement amendments to  
536 this act until the currently effective plan expires.

537 (7)(a) A county or an eligible municipality must expend its  
538 portion of the local housing distribution only to implement a  
539 local housing assistance plan or as provided in this subsection.  
540 ~~A county or an eligible municipality may not expend its portion~~  
541 ~~of the local housing distribution to provide rent subsidies;~~  
542 ~~however, this does not prohibit the use of funds for security~~  
543 ~~and utility deposit assistance.~~

544 (b) A county or an eligible municipality may not expend its  
545 portion of the local housing distribution to provide ongoing  
546 rent subsidies, except for:

- 547 1. Security and utility deposit assistance.  
548 2. Eviction prevention not to exceed 6 months' rent.  
549 3. A rent subsidy program for very-low-income households  
550 with at least one adult who is a person with special needs as  
551 defined in s. 420.0004 or homeless as defined in s. 420.621. The  
552 period of rental assistance may not exceed 12 months for any  
553 eligible household.

554 Section 10. Paragraph (a) of subsection (2) of section  
555 420.9075, Florida Statutes, is amended, paragraph (f) is added  
556 to subsection (3) of that section, paragraph (e) of subsection  
557 (4) of that section is amended, present paragraphs (b) through  
558 (l) of subsection (5) of that section are redesignated as  
559 paragraphs (c) through (m), respectively, present paragraph (l)  
560 of that subsection is amended, and a new paragraph (b) is added  
561 to that subsection, paragraph (i) is added to subsection (10) of



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562 that section, and paragraph (b) of subsection (13) of that  
563 section is amended, to read:

564 420.9075 Local housing assistance plans; partnerships.—

565 (2) (a) Each county and each eligible municipality  
566 participating in the State Housing Initiatives Partnership  
567 Program shall encourage the involvement of appropriate public  
568 sector and private sector entities as partners in order to  
569 combine resources to reduce housing costs for the targeted  
570 population. This partnership process should involve:

- 571 1. Lending institutions.
- 572 2. Housing builders and developers.
- 573 3. Nonprofit and other community-based housing and service  
574 organizations.
- 575 4. Providers of professional services relating to  
576 affordable housing.
- 577 5. Advocates for low-income persons, including, but not  
578 limited to, homeless people, the elderly, and migrant  
579 farmworkers.
- 580 6. Real estate professionals.
- 581 7. Other persons or entities who can assist in providing  
582 housing or related support services.
- 583 8. Lead agencies of local homeless assistance continuums of  
584 care.

585 (3)

586 (f) Each county and eligible municipality is encouraged to  
587 develop a strategy within its local housing assistance plan  
588 which provides program funds for reducing homelessness.

589 (4) Each local housing assistance plan is governed by the  
590 following criteria and administrative procedures:



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591 (e) The staff or entity that has administrative authority  
592 for implementing a local housing assistance plan assisting  
593 rental developments shall annually monitor and determine tenant  
594 eligibility or, to the extent another governmental entity or  
595 corporation program provides periodic ~~the same~~ monitoring and  
596 determination, a municipality, county, or local housing  
597 financing authority may rely on such monitoring and  
598 determination of tenant eligibility. However, any loan or grant  
599 in the original amount of \$10,000 ~~3,000~~ or less is ~~shall not be~~  
600 subject to these annual monitoring and determination of tenant  
601 eligibility requirements.

602 (5) The following criteria apply to awards made to eligible  
603 sponsors or eligible persons for the purpose of providing  
604 eligible housing:

605 (b) Up to 25 percent of the funds made available in each  
606 county and eligible municipality from the local housing  
607 distribution may be reserved for rental housing for eligible  
608 persons or for the purposes enumerated in s. 420.9072(7)(b).

609 (m) ~~(l)~~ Funds from the local housing distribution not used  
610 to meet the criteria established in paragraph (a) or paragraph  
611 (c) ~~(b)~~ or not used for the administration of a local housing  
612 assistance plan must be used for housing production and finance  
613 activities, including, but not limited to, financing  
614 preconstruction activities or the purchase of existing units,  
615 providing rental housing, and providing home ownership training  
616 to prospective home buyers and owners of homes assisted through  
617 the local housing assistance plan.

618 1. Notwithstanding the provisions of paragraphs (a) and (c)  
619 ~~(b)~~, program income as defined in s. 420.9071(24) may also be



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620 used to fund activities described in this paragraph.

621         2. When preconstruction due-diligence activities conducted  
622 as part of a preservation strategy show that preservation of the  
623 units is not feasible and will not result in the production of  
624 an eligible unit, such costs shall be deemed a program expense  
625 rather than an administrative expense if such program expenses  
626 do not exceed 3 percent of the annual local housing  
627 distribution.

628         3. If both an award under the local housing assistance plan  
629 and federal low-income housing tax credits are used to assist a  
630 project and there is a conflict between the criteria prescribed  
631 in this subsection and the requirements of s. 42 of the Internal  
632 Revenue Code of 1986, as amended, the county or eligible  
633 municipality may resolve the conflict by giving precedence to  
634 the requirements of s. 42 of the Internal Revenue Code of 1986,  
635 as amended, in lieu of following the criteria prescribed in this  
636 subsection with the exception of paragraphs (a) and (f) ~~(e)~~ of  
637 this subsection.

638         4. Each county and each eligible municipality may award  
639 funds as a grant for construction, rehabilitation, or repair as  
640 part of disaster recovery or emergency repairs or to remedy  
641 accessibility or health and safety deficiencies. Any other  
642 grants must be approved as part of the local housing assistance  
643 plan.

644         (10) Each county or eligible municipality shall submit to  
645 the corporation by September 15 of each year a report of its  
646 affordable housing programs and accomplishments through June 30  
647 immediately preceding submittal of the report. The report shall  
648 be certified as accurate and complete by the local government's



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649 chief elected official or his or her designee. Transmittal of  
650 the annual report by a county's or eligible municipality's chief  
651 elected official, or his or her designee, certifies that the  
652 local housing incentive strategies, or, if applicable, the local  
653 housing incentive plan, have been implemented or are in the  
654 process of being implemented pursuant to the adopted schedule  
655 for implementation. The report must include, but is not limited  
656 to:

657 (i) A description of efforts to reduce homelessness.

658 (13)

659 (b) If, as a result of its review of the annual report, the  
660 corporation determines that a county or eligible municipality  
661 has failed to implement a local housing incentive strategy, or,  
662 if applicable, a local housing incentive plan, it shall send a  
663 notice of termination of the local government's share of the  
664 local housing distribution by certified mail to the affected  
665 county or eligible municipality.

666 1. The notice must specify a date of termination of the  
667 funding if the affected county or eligible municipality does not  
668 implement the plan or strategy and provide for a local response.  
669 A county or eligible municipality shall respond to the  
670 corporation within 30 days after receipt of the notice of  
671 termination.

672 2. The corporation shall consider the local response that  
673 extenuating circumstances precluded implementation and grant an  
674 extension to the timeframe for implementation. Such an extension  
675 shall be made in the form of an extension agreement that  
676 provides a timeframe for implementation. The chief elected  
677 official of a county or eligible municipality or his or her





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678 designee shall have the authority to enter into the agreement on  
679 behalf of the local government.

680         3. If the county or the eligible municipality has not  
681 implemented the incentive strategy or entered into an extension  
682 agreement by the termination date specified in the notice, the  
683 local housing distribution share terminates, and any uncommitted  
684 local housing distribution funds held by the affected county or  
685 eligible municipality in its local housing assistance trust fund  
686 shall be transferred to the Local Government Housing Trust Fund  
687 to the credit of the corporation to administer.

688         4.a. If the affected local government fails to meet the  
689 timeframes specified in the agreement, the corporation shall  
690 terminate funds. The corporation shall send a notice of  
691 termination of the local government's share of the local housing  
692 distribution by certified mail to the affected local government.  
693 The notice shall specify the termination date, and any  
694 uncommitted funds held by the affected local government shall be  
695 transferred to the Local Government Housing Trust Fund to the  
696 credit of the corporation to administer.

697         b. If the corporation terminates funds to a county, but an  
698 eligible municipality receiving a local housing distribution  
699 pursuant to an interlocal agreement maintains compliance with  
700 program requirements, the corporation shall thereafter  
701 distribute directly to the participating eligible municipality  
702 its share calculated in the manner provided in ss. ~~§~~ 420.9072  
703 and 420.9073.

704         c. Any county or eligible municipality whose local  
705 distribution share has been terminated may subsequently elect to  
706 receive directly its local distribution share by adopting the



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707 ordinance, resolution, and local housing assistance plan in the  
708 manner and according to the procedures provided in ss. 420.907-  
709 420.9079.

710 Section 11. Subsection (2), paragraph (a) of subsection  
711 (4), and paragraph (b) of subsection (7) of section 420.9076,  
712 Florida Statutes, are amended to read:

713 420.9076 Adoption of affordable housing incentive  
714 strategies; committees.—

715 (2) The governing board of a county or municipality shall  
716 appoint the members of the affordable housing advisory committee  
717 ~~by resolution~~. Pursuant to the terms of any interlocal  
718 agreement, a county and municipality may create and jointly  
719 appoint an advisory committee ~~to prepare a joint plan~~. The local  
720 action ordinance adopted pursuant to s. 420.9072 which creates  
721 the advisory committee and appoints ~~or the resolution appointing~~  
722 the advisory committee members must name at least 8 but not more  
723 than 11 ~~provide for 11~~ committee members and specify their  
724 terms. The committee must consist of one representative from at  
725 least six of the categories below ~~include~~:

726 (a) A ~~One~~ citizen who is actively engaged in the  
727 residential home building industry in connection with affordable  
728 housing.

729 (b) A ~~One~~ citizen who is actively engaged in the banking or  
730 mortgage banking industry in connection with affordable housing.

731 (c) A ~~One~~ citizen who is a representative of those areas of  
732 labor actively engaged in home building in connection with  
733 affordable housing.

734 (d) A ~~One~~ citizen who is actively engaged as an advocate  
735 for low-income persons in connection with affordable housing.



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736 (e) A ~~One~~ citizen who is actively engaged as a for-profit  
737 provider of affordable housing.

738 (f) A ~~One~~ citizen who is actively engaged as a not-for-  
739 profit provider of affordable housing.

740 (g) A ~~One~~ citizen who is actively engaged as a real estate  
741 professional in connection with affordable housing.

742 (h) A ~~One~~ citizen who actively serves on the local planning  
743 agency pursuant to s. 163.3174. If the local planning agency is  
744 comprised of the governing board of the county or municipality,  
745 the governing board may appoint a designee who is knowledgeable  
746 in the local planning process.

747 (i) A ~~One~~ citizen who resides within the jurisdiction of  
748 the local governing body making the appointments.

749 (j) A ~~One~~ citizen who represents employers within the  
750 jurisdiction.

751 (k) A ~~One~~ citizen who represents essential services  
752 personnel, as defined in the local housing assistance plan.

753  
754 ~~If a county or eligible municipality whether due to its small~~  
755 ~~size, the presence of a conflict of interest by prospective~~  
756 ~~appointees, or other reasonable factor, is unable to appoint a~~  
757 ~~citizen actively engaged in these activities in connection with~~  
758 ~~affordable housing, a citizen engaged in the activity without~~  
759 ~~regard to affordable housing may be appointed. Local governments~~  
760 ~~that receive the minimum allocation under the State Housing~~  
761 ~~Initiatives Partnership Program may elect to appoint an~~  
762 ~~affordable housing advisory committee with fewer than 11~~  
763 ~~representatives if they are unable to find representatives who~~  
764 ~~meet the criteria of paragraphs (a)-(k).~~



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765 (4) Triennially, the advisory committee shall review the  
766 established policies and procedures, ordinances, land  
767 development regulations, and adopted local government  
768 comprehensive plan of the appointing local government and shall  
769 recommend specific actions or initiatives to encourage or  
770 facilitate affordable housing while protecting the ability of  
771 the property to appreciate in value. The recommendations may  
772 include the modification or repeal of existing policies,  
773 procedures, ordinances, regulations, or plan provisions; the  
774 creation of exceptions applicable to affordable housing; or the  
775 adoption of new policies, procedures, regulations, ordinances,  
776 or plan provisions, including recommendations to amend the local  
777 government comprehensive plan and corresponding regulations,  
778 ordinances, and other policies. At a minimum, each advisory  
779 committee shall submit a report to the local governing body that  
780 includes recommendations on, and triennially thereafter  
781 evaluates the implementation of, affordable housing incentives  
782 in the following areas:

783 (a) The processing of approvals of development orders or  
784 permits, ~~as defined in s. 163.3164,~~ for affordable housing  
785 projects is expedited to a greater degree than other projects,  
786 as provided in s. 163.3177(6)(f)3.

787  
788 The advisory committee recommendations may also include other  
789 affordable housing incentives identified by the advisory  
790 committee. Local governments that receive the minimum allocation  
791 under the State Housing Initiatives Partnership Program shall  
792 perform the initial review but may elect to not perform the  
793 triennial review.



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794 (7) The governing board of the county or the eligible  
795 municipality shall notify the corporation by certified mail of  
796 its adoption of an amendment of its local housing assistance  
797 plan to incorporate local housing incentive strategies. The  
798 notice must include a copy of the approved amended plan.

799 (b) If a county fails to timely adopt an amended local  
800 housing assistance plan to incorporate local housing incentive  
801 strategies but an eligible municipality receiving a local  
802 housing distribution pursuant to an interlocal agreement within  
803 the county does timely adopt an amended local housing assistance  
804 plan to incorporate local housing incentive strategies, the  
805 corporation, after issuance ~~receipt~~ of a notice of termination,  
806 shall thereafter distribute directly to the participating  
807 eligible municipality its share calculated in the manner  
808 provided in s. 420.9073 ~~s. 420.9072~~.

809 Section 12. Section 420.9089, Florida Statutes, is created  
810 to read:

811 420.9089 National Housing Trust Fund.—The Legislature finds  
812 that more funding for housing to assist individuals and families  
813 who are experiencing homelessness or who are at risk of  
814 homelessness is needed and encourages the state entity  
815 designated to administer funds made available to the state from  
816 the National Housing Trust Fund to propose an allocation plan  
817 that includes strategies to reduce homelessness and the risk of  
818 homelessness in this state. These strategies shall be in  
819 addition to strategies developed under s.

820  
821 ===== T I T L E A M E N D M E N T =====

822 And the title is amended as follows:



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823 Delete lines 4 - 70  
824 and insert:  
825 420.503, F.S.; redefining the term "service provider";  
826 amending s. 420.507, F.S.; revising the powers that  
827 the Florida Housing Finance Corporation may exercise  
828 in developing and administering the State Apartment  
829 Incentive Loan Program; deleting a specified timeframe  
830 in which the corporation may preclude certain  
831 applicants or affiliates of an applicant from further  
832 participation in any of the corporation's programs;  
833 amending s. 420.5087, F.S.; requiring that State  
834 Apartment Incentive Loan Program funds be made  
835 available through a competitive solicitation process,  
836 subject to certain requirements; requiring program  
837 funds be made available for use by certain sponsors  
838 during the first 6 months of loan or loan guarantee  
839 availability, subject to certain requirements;  
840 revising requirements related to all state apartment  
841 incentive loans, with the exception of certain loans  
842 made to housing communities for the elderly; deleting  
843 provisions related to the reservation of funds related  
844 to certain tenant groups; conforming a cross-  
845 reference; amending s. 420.511, F.S.; deleting a  
846 requirement that the corporation's business plan and  
847 annual report recognize certain fiscal periods;  
848 amending s. 420.622, F.S.; requiring that the State  
849 Office on Homelessness coordinate among certain  
850 agencies and providers to produce a statewide  
851 consolidated inventory for the state's entire system



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852 of homeless programs which incorporates regionally  
853 developed plans; directing the office to create a task  
854 force to make recommendations regarding the  
855 implementation of a statewide Homeless Management  
856 Information System (HMIS), subject to certain  
857 requirements; requiring the task force to include in  
858 its recommendations the development of a statewide,  
859 centralized coordinated assessment system; requiring  
860 the task force to submit a report to the Council on  
861 Homelessness by a specified date; deleting the  
862 requirement that the Council on Homelessness explore  
863 the potential of creating a statewide Homeless  
864 Management Information System and encourage future  
865 participation of certain award or grant recipients;  
866 requiring the State Office on Homelessness to accept  
867 and administer moneys appropriated to it to provide  
868 annual Challenge Grants to certain lead agencies of  
869 homeless assistance continuums of care; removing the  
870 requirement that levels of grant awards be based upon  
871 the total population within the continuum of care  
872 catchment area and reflect the differing degrees of  
873 homelessness in the respective areas; allowing  
874 expenditures of leveraged funds or resources only for  
875 eligible activities, subject to certain requirements;  
876 requiring the State Office on Homelessness, in  
877 conjunction with the Council on Homelessness, to  
878 establish specific objectives by which it may evaluate  
879 the outcomes of certain lead agencies; requiring that  
880 any funding through the State Office on Homelessness



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881 be distributed to lead agencies based on their  
882 performance and achievement of specified objectives;  
883 revising the factors that may be included as criteria  
884 for evaluating the performance of lead agencies;  
885 amending s. 420.624, F.S.; revising requirements for  
886 the local homeless assistance continuum of care plan;  
887 providing that the components of a continuum of care  
888 plan should include Rapid ReHousing; requiring that  
889 specified components of a continuum of care plan be  
890 coordinated and integrated with other specified  
891 services and programs; creating s. 420.6265, F.S.;  
892 providing legislative findings and intent relating to  
893 Rapid ReHousing; providing a Rapid ReHousing  
894 methodology; amending s. 420.9071, F.S.; redefining  
895 the terms "local housing incentive strategies" and  
896 "rent subsidies"; conforming a cross-reference;  
897 amending s. 420.9072, F.S.; increasing the number of  
898 days within which a review committee is required to  
899 review a local housing assistance plan or plan  
900 revision after receiving it; prohibiting a county or  
901 an eligible municipality from expending its portion of  
902 the local housing distribution to provide ongoing rent  
903 subsidies; specifying exceptions; amending s.  
904 420.9075, F.S.; providing that a certain partnership  
905 process of the State Housing Initiatives Partnership  
906 Program should involve lead agencies of local homeless  
907 assistance continuums of care; encouraging counties  
908 and eligible municipalities to develop a strategy  
909 within their local housing assistance plans which





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910 provides program funds for reducing homelessness;  
911 revising criteria and administrative procedures  
912 governing each local housing assistance plan; revising  
913 the criteria that apply to awards made to sponsors or  
914 persons for the purpose of providing housing;  
915 requiring that a specified report submitted by  
916 counties and municipalities include a description of  
917 efforts to reduce homelessness; revising the manner in  
918 which a certain share that the corporation distributes  
919 directly to a participating eligible municipality is  
920 calculated; conforming cross-references; amending s.  
921 420.9076, F.S.; revising requirements related to the  
922 creation and appointment of members of affordable  
923 housing advisory committees; revising requirements  
924 related to a report submitted by each advisory  
925 committee to the local governing body on affordable  
926 housing incentives; requiring the corporation, after  
927 issuance of a notice of termination, to distribute  
928 directly to a participating eligible municipality a  
929 county's share under certain circumstances calculated  
930 in a specified manner; creating s. 420.9089, F.S.;