

By the Committee on Education Innovation and  
Representatives Spratt and Melvin

1                                   A bill to be entitled  
2           An act relating to rural development; creating  
3           the Florida Rural Heritage Act; providing  
4           legislative findings; providing definitions;  
5           providing for the designation of a Rural  
6           Heritage Area; providing for a community-based  
7           planning process; specifying guidelines for  
8           Rural Heritage Area plans; providing procedure  
9           for adoption of a plan; providing for economic  
10          incentives, reports, and technical assistance;  
11          creating the Rural Heritage Grant Program to  
12          assist local governments in adopting Rural  
13          Heritage Areas, to be administered by the  
14          Department of Community Affairs; providing for  
15          development of a nature-and-heritage-based  
16          tourism business micro-loan program; providing  
17          for establishment of a revolving loan fund;  
18          providing for educational technology pilot  
19          programs to be established by the Department of  
20          Management Services; providing for agricultural  
21          diversification pilot projects to be  
22          administered by the Department of Agriculture  
23          and Consumer Services; providing for review and  
24          evaluation by the Office of Program Policy  
25          Analysis and Government Accountability;  
26          amending s. 163.3177, F.S.; providing that an  
27          agricultural land use category may be eligible  
28          for the location of public schools in a local  
29          government comprehensive plan under certain  
30          conditions; specifying lands that are suitable  
31          for innovative planning and development

1 strategies; requiring a report on a program for  
2 implementing such strategies; prohibiting  
3 reduction in residential density on certain  
4 property without the owner's consent until July  
5 1, 2001; amending s. 163.06, F.S.; correcting a  
6 reference; amending s. 163.3187, F.S.;  
7 providing conditions for adoption of local  
8 comprehensive plans for rural activity centers;  
9 amending s. 187.201, F.S.; modifying goals of  
10 the State Comprehensive Plan to include housing  
11 for specified persons in rural areas and  
12 development of nature-based tourism; providing  
13 a policy of fostering integrated and  
14 coordinated community planning efforts;  
15 providing support for rural communities in  
16 developing nature-and-heritage-based tourism  
17 enterprises; providing support for landowners  
18 who wish their lands to remain in agricultural  
19 use; amending s. 212.096, F.S.; providing a  
20 credit against sales tax for businesses located  
21 in an enterprise zone within a rural county or  
22 city as defined; amending s. 220.181, F.S.;  
23 providing enterprise zone jobs credits for  
24 businesses within jurisdiction of a rural local  
25 government; amending s. 290.0055, F.S.;  
26 providing a condition for communities within  
27 the jurisdiction of a rural local government to  
28 be designated as an enterprise zone; amending  
29 s. 420.507, F.S.; modifying powers of the  
30 Florida Housing Finance Corporation; amending  
31 ss. 420.5087 and 420.5088, F.S.; correcting

1 cross references; providing an appropriation;  
2 providing an effective date.

3

4 Be It Enacted by the Legislature of the State of Florida:

5

6 Section 1. Florida Rural Heritage Act.--

7 (1) SHORT TITLE.--This section may be cited as the  
8 "Florida Rural Heritage Act."

9 (2) FINDINGS.--The Legislature finds that:

10 (a) Fiscally and culturally strong rural communities  
11 are beneficial to regional and state economies and resources;  
12 are a method for reduction of future urban sprawl; encourage  
13 compact, efficient urban growth patterns; and should be  
14 promoted by state, regional, and local governments.

15 (b) The health and vibrancy of the state's rural areas  
16 benefit their respective regions and the state; conversely,  
17 the deterioration of those rural areas negatively impacts the  
18 surrounding area and the state.

19 (c) In recognition of the interwoven nature of the  
20 relationships among rural communities, agricultural lands,  
21 open space lands, urban centers, regions, and the state, the  
22 respective governments should establish a framework and work  
23 in partnership with communities and the private sector to  
24 revitalize rural areas.

25 (d) A state rural policy should guide the state,  
26 regional agencies, local governments, and the private sector  
27 in creating economic prosperity and preserving the unique  
28 rural character and heritage of the state's rural areas. The  
29 policy should encourage and assist local governments in  
30 addressing issues including adequate provision of  
31 infrastructure, affordable housing, human services, safe

1 neighborhoods, agricultural profitability, educational  
2 facilities, sound land uses, health care, and economic  
3 diversification and development to sustain rural communities  
4 into the future.

5 (e) Successfully revitalizing and sustaining rural  
6 areas depends on addressing, through an integrated and  
7 coordinated community effort, a range of varied components  
8 essential to a healthy rural environment, including cultural,  
9 educational, recreational, economic, transportation, land use,  
10 information technology, and social service delivery  
11 components.

12 (f) Identification of rural activity centers and of  
13 strategies to promote economic prosperity while protecting  
14 rural character are recognized as important components and  
15 useful mechanisms to promote and sustain rural areas. State  
16 and regional entities and local governments should provide  
17 incentives to promote community-based processes to identify  
18 such centers and strategies. Existing programs and incentives  
19 should be integrated to the extent possible to promote sound  
20 rural development and to achieve the goals of the state rural  
21 policy.

22 (g) Full funding for rural transportation and water  
23 infrastructure needs, rural schools, health care services, and  
24 information technology are important investments by the state  
25 in the overall health of its rural communities, and are  
26 integral components of a state rural policy.

27 (h) Many rural local governments are hindered by  
28 limited staff and capacity in their efforts to secure  
29 available resources. A state rural policy should assist local  
30 governments in identifying and accessing needed resources for  
31 which they are eligible, and should promote creative ways to

1 maximize the efficiency of rural local governments' existing  
2 staff and other resources.

3 (i) Agriculture plays an integral role in the economy,  
4 ecology, and culture of the state's rural areas and of the  
5 state as a whole. At the same time, the state is losing  
6 agricultural lands to development at a rapid rate. A state  
7 rural policy should assist state agencies and local  
8 governments in creating and marketing tools for increasing the  
9 profitability of agricultural land uses and other incentives  
10 for conserving the state's agricultural lands.

11 (j) In recognition that approximately one-half of all  
12 visitors to this state include a nature-based experience in  
13 their vacations, a state rural policy should encourage the  
14 development of a nature-and-heritage-based tourism industry  
15 that meets this growing public demand, protects the state's  
16 natural and cultural resources, and contributes to economic  
17 prosperity, especially in the state's rural communities.

18 (3) DEFINITIONS.--As used in this section, the term:

19 (a) "Local government" means any county or  
20 municipality.

21 (b) "Rural Activity Center" means an area or areas  
22 designated by a local government where:

23 1. The area is located within a Rural Heritage Area.

24 2. Public services such as water and wastewater,  
25 transportation infrastructure, schools, and recreation are  
26 already available or are scheduled to be provided in an  
27 adopted 5-year schedule of capital improvements, and the area  
28 has historically served as a commercial business center or  
29 site of public buildings for surrounding rural residents.

30 3. The area may consist of or include state community  
31 redevelopment areas, brownfields, enterprise zones, or

1 Mainstreet programs, federal Empowerment Zones, Enterprise  
2 Communities, Champion Communities, or Brownfield Showcase  
3 Communities.

4 4. The area of the Rural Activity Center constitutes  
5 no more than 25 percent of the designated Rural Heritage Area  
6 within which it exists. The Rural Activity Center will serve  
7 and be developed as a "town center," promoting compact,  
8 efficient development within the Rural Activity Center, and  
9 allowing lower density development that retains rural  
10 character within the remaining portions of the designated  
11 Rural Heritage Area.

12 (c) "Rural Heritage Area" means an area or areas  
13 designated by a local government, or local governments through  
14 interlocal agreement, where:

15 1. More than 50 percent of the land within the  
16 designated area is in agricultural, open space, recreational,  
17 or other non-developed uses;

18 2. The designated area fits the definition of, or  
19 falls within an area that fits the definition of, a rural  
20 county, rural city, or rural community as defined in section  
21 288.106, Florida Statutes;

22 3. A majority of populated portions of the area are  
23 characterized by pervasive poverty, unemployment, and general  
24 distress as defined in section 290.0058, Florida Statutes;

25 4. The area may comprise a single rural county as  
26 defined in section 288.106, Florida Statutes, a multi-county  
27 area, or a sub-county area that is rural in nature and meets  
28 the above land use, demographic, economic, and definitional  
29 criteria. If a sub-county area, it may comprise one or more  
30 rural municipalities, as defined in section 288.106, Florida  
31 Statutes, and may include unincorporated areas between or

1 surrounding the rural municipalities provided that all parts  
2 of the designated area meet the above criteria.  
3 (4) DESIGNATION OF A RURAL HERITAGE AREA.--  
4 (a) A local government, or local governments through  
5 interlocal agreement, may designate a geographic area or areas  
6 within the applicable jurisdiction as a Rural Heritage Area  
7 for the purpose of convening a community-based holistic  
8 planning process to identify community problems and assets,  
9 create a vision for the area's future, and formulate a  
10 strategic plan for implementing asset-based solutions to the  
11 problems identified.  
12 (b) A local government, or local governments through  
13 interlocal agreement, may designate a geographic area or areas  
14 within the applicable jurisdiction and within a designated  
15 Rural Heritage Area as a Rural Activity Center for the purpose  
16 of targeting economic development, job creation, housing,  
17 transportation and other infrastructure, neighborhood  
18 revitalization and preservation, the promotion of rural land  
19 preservation, and the employment of land use incentives to  
20 encourage mixed-use development that will revitalize the Rural  
21 Activity Center area as a functioning downtown that can serve  
22 residents of surrounding rural areas.  
23 (5) COMMUNITY-BASED PLANNING PROCESS.--  
24 (a) As part of the designation of the Rural Heritage  
25 Area and the preparation of a Rural Heritage Area plan, a  
26 community participation process must be implemented in each  
27 proposed Rural Heritage Area. The process must involve  
28 stakeholders including, but not limited to, community-based  
29 organizations; neighborhood associations; educational, health  
30 care, and religious organizations; area residents, including  
31 low-income residents; appropriate local government

1 representatives; local school boards; and, when appropriate,  
2 institutions of higher education.

3 (b) The objective of the community participation  
4 process is to produce an integrated plan that benefits the  
5 community as a whole, and to encourage residents within the  
6 designated area to participate in the design and  
7 implementation of the Rural Heritage Area plan, including the  
8 visioning of the area's future, before prioritizing and  
9 optimizing scarce resources. The planning process must be  
10 collaborative and holistic and must address, at a minimum,  
11 economic development including the nature-and-heritage-based  
12 tourism industry, land use, affordable housing,  
13 infrastructure, education, health care, public safety,  
14 financial capacity, both public and private, information  
15 technology, workforce development, ecological conservation,  
16 social equity, the role of agriculture in the local economy if  
17 applicable, and the role of local government.

18 (c) In lieu of preparing a new plan, the local  
19 government may demonstrate that an existing plan or  
20 combination of plans includes the factors listed in paragraph  
21 (d), or amend such existing plans to include the factors  
22 listed in paragraph (d), including the community-based  
23 planning process. If the area constitutes or contains a  
24 federally designated Empowerment Zone, Enterprise Community,  
25 or Champion Community, the plan and planning process done in  
26 application for that designation will serve to meet the  
27 requirements of the community-based planning process, and will  
28 allow the community to apply for implementation grants under  
29 the Rural Heritage Grant program that are based on such plan.

30 (d) A local government seeking to designate a  
31 geographic area as a Rural Heritage Area shall propose a plan



1 that describes means of promoting economic prosperity and  
2 preserving the unique rural character of the area. The plan  
3 must demonstrate the local government's and community's  
4 commitment to comprehensively addressing the problems within  
5 the Rural Heritage Area and identify activities, programs, and  
6 resources that can help accomplish locally identified goals  
7 such as improved educational opportunities; economic  
8 diversification and development; the future of agricultural  
9 land uses in the planning area; provision of infrastructure  
10 needs, including information technology infrastructure;  
11 prioritizing, pooling, and leveraging scarce resources; and  
12 mixed-use planning for Rural Activity Centers to improve both  
13 the residential and commercial quality of life in the area.

14 The plan must also:

15 1. Contain a map depicting the Rural Heritage Area or  
16 areas, and Rural Activity Center if applicable, to be included  
17 within the designation.

18 2. Contain interlocal agreements, as appropriate,  
19 among participating local governments and any regional or  
20 nonprofit organizations which express the entities' commitment  
21 to collectively designating the area and to coordinated  
22 implementation efforts based on the plan.

23 3. Identify any existing enterprise zones, community  
24 redevelopment areas, community development districts,  
25 brownfield areas, downtown redevelopment districts, safe  
26 neighborhood improvement districts, historic preservation  
27 districts, and empowerment zones located within the area  
28 proposed for designation.

29 4. Identify a memorandum of understanding between the  
30 district school board and the local government jurisdiction  
31 regarding public school facilities located within the Rural

1 Heritage Area to identify how the school board will enhance  
2 public school facilities and programs in the designated area.  
3 5. Explain how projects identified in the plan forward  
4 the goals of creating economic prosperity for area residents  
5 and preserving the rural character and heritage of the  
6 planning area. Projects may include land acquisition;  
7 demolition, construction, or renovation of structures;  
8 purchase of conservation easements or development rights on  
9 agricultural, conservation or recreational lands; job-training  
10 programs; investments in educational technologies; capacity  
11 building through existing or new nonprofit organizations;  
12 creation, enhancement, or marketing of nature, agricultural,  
13 or heritage-based tourism or recreational facilities; or  
14 improvement of the delivery of health care services to rural  
15 residents.  
16 6. Identify the geographic locations for projects  
17 identified through the community participation process and  
18 explain how such projects will be implemented.  
19 7. Identify how the local government intends to  
20 implement and enhance affordable housing programs as defined  
21 in section 420.602, Florida Statutes, including economic and  
22 community development programs administered by the Department  
23 of Community Affairs and the Florida Housing Finance  
24 Corporation within the Rural Heritage Area.  
25 8. If applicable, provide guidelines for the adoption  
26 of land development regulations specific to the Rural Heritage  
27 Area which provide for the use or purchase of conservation  
28 easements, purchase or transfer of development rights, or the  
29 use of other means available to local governments under  
30 section 704.06, Florida Statutes, for the purpose of  
31 preserving agricultural lands.

- 1           9. If applicable, identify and adopt a package of  
2 financial and local government incentives which the local  
3 government will offer for new development, expansion or  
4 renovation of existing development, and redevelopment within  
5 any designated Rural Activity Center. Examples of such  
6 incentives include:
- 7           a. Waiver of license and permit fees.  
8           b. Waiver of delinquent taxes or fees to promote the  
9 return of property to productive use.
- 10           c. Expedited permitting.  
11           d. Prioritization of infrastructure spending within  
12 the Rural Heritage Area and Rural Activity Center.
- 13           10. Identify how activities and incentives within the  
14 Rural Heritage Area or Rural Activity Center will be  
15 coordinated and what administrative mechanism the local  
16 government will use for the coordination and monitoring of  
17 Rural Heritage Area plan implementation.
- 18           11. Provide a list of stakeholders participating in  
19 the community planning process, consistent with the list  
20 provided in paragraph (a).
- 21           12. Identify goals, objectives, performance measures,  
22 and baseline data on conditions to evaluate the success of the  
23 local government, community-based organizations, and other  
24 stakeholders in implementing the Rural Heritage Area plan and  
25 in improving economic prosperity and preserving rural  
26 character.
- 27           (e) The regional planning council covering the  
28 geographic location of the Rural Heritage Area, or other  
29 appropriate nonprofit, university-based, or for-profit  
30 organizations, may assist the local government in convening  
31 the community-based planning process and in preparing the

1 Rural Heritage Area plan provided that the process and  
2 resulting plan meet all other requirements as described in  
3 this section.

4 (f) After the preparation of a Rural Heritage Area  
5 plan or the designation of an existing plan, the local  
6 government must adopt the plan by ordinance. Notice for the  
7 public hearing on the ordinance must be in the form  
8 established in section 166.041(3)(c)2., Florida Statutes, for  
9 municipalities and section 125.66(4)(b)2., Florida Statutes,  
10 for counties.

11 (g) For a local government to designate a Rural  
12 Heritage Area or Rural Activity Center, it must amend its  
13 comprehensive land use plan under section 163.3187, Florida  
14 Statutes, to delineate the Rural Heritage Area within the  
15 future land use element of its comprehensive plan. An  
16 amendment to the local comprehensive plan to designate a Rural  
17 Heritage Area or Rural Activity Center is exempt from the  
18 twice-a-year amendment limitation of section 163.3187, Florida  
19 Statutes.

20 (6) ECONOMIC INCENTIVES; REPORTS; TECHNICAL  
21 ASSISTANCE.--

22 (a) A local government with an adopted Rural Heritage  
23 Area plan or a plan employed in lieu thereof may issue revenue  
24 bonds under section 163.385, Florida Statutes, and employ tax  
25 increment financing under section 163.387, Florida Statutes,  
26 for the purpose of financing the implementation of the plan as  
27 appropriate, particularly within designated Rural Activity  
28 Centers.

29 (b) A local government with an adopted Rural Heritage  
30 Area plan or a plan employed in lieu thereof may exercise the  
31 powers granted under section 163.514, Florida Statutes, for

1 community redevelopment neighborhood improvement districts,  
2 including the authority to levy special assessments as  
3 appropriate, particularly within designated Rural Activity  
4 Centers.

5 (c) State agencies that provide funding for  
6 infrastructure, cost-reimbursement, grants, or loans to local  
7 governments, including the Department of Environmental  
8 Protection (Clean Water State Revolving Fund, Drinking Water  
9 Revolving Loan Trust Fund, and the State of Florida Pollution  
10 Control Bond Program); the Department of Community Affairs  
11 (Economic Development and Housing Program, Florida Communities  
12 Trust); the Florida Housing Finance Corporation; and the  
13 Department of Transportation, shall report to the President of  
14 the Senate and the Speaker of the House Representatives by  
15 January 1, 2001, regarding statutory and rule changes  
16 necessary to give Rural Heritage Areas identified by local  
17 governments that have completed the community-based planning  
18 process an elevated priority in infrastructure funding, loan,  
19 and grant programs.

20 (d) State agencies that provide funding to local  
21 governments shall identify grant programs for which local  
22 government cash match requirements will be waived or replaced  
23 by in-kind match, which can include the creation of a  
24 permanent Resource Development staff position within the local  
25 government to work on accessing a variety of grants, and loan  
26 programs for which repayment will be forgiven, for rural local  
27 government applicants that have successfully completed the  
28 Rural Heritage Area grant program community planning process.  
29 Agencies shall report to the President of the Senate and the  
30 Speaker of the House of Representatives by September 1, 2000,  
31

1 on programs identified, statutory or rule changes needed, and  
2 cost of implementation.

3 (e) The Rural Economic Development Initiative (REDI),  
4 as described in section 288.0656, Florida Statutes, shall work  
5 with state agencies and other organizations that provide  
6 loans, grants, or technical assistance of any kind to the  
7 state's rural communities, to update, maintain, and distribute  
8 semiannually to every rural county and city government as  
9 defined in section 288.106, Florida Statutes, the Rural  
10 Resource Directory, which describes resources, including  
11 federal resources, which are available to rural local  
12 governments and how to access them. The publication must  
13 include statutory provisions that enable local governments to  
14 raise or direct revenues toward the goals of promoting  
15 economic prosperity while preserving rural character. To the  
16 extent possible, REDI shall provide, or shall work through the  
17 regional planning councils, the Small County Technical  
18 Assistance Program, the Local Government Financial Technical  
19 Assistance Program, the State University System, or other  
20 relevant organizations to provide, technical assistance to all  
21 rural local governments to access these resources.

22 (f) Provision by REDI or other organizations  
23 identified in paragraph (e) of technical assistance in  
24 accessing available resources as described in paragraph (e) is  
25 an automatic result of successful completion of the Rural  
26 Heritage Area community planning process.

27 (g) REDI shall work with the Florida State Rural  
28 Development Council and state agencies to develop a simple,  
29 uniform grant application form for use by local government  
30 grant applicants. To the extent feasible, such a uniform  
31 application process should incorporate the sharing of known

1 information about local governments among state government  
2 agencies in order to maximize the efficiency of local  
3 governments' efforts to secure available resources. The  
4 uniform grant application must be adopted for use by state  
5 agencies by July 1, 2001.

6 (7) GRANT PROGRAM.--

7 (a) A Rural Heritage Grant Program is created to  
8 assist local governments in adopting Rural Heritage Areas,  
9 completing the community-based planning process, and  
10 implementing elements of the resulting Rural Heritage Area  
11 plan.

12 (b) Forty-five percent of the general revenue  
13 appropriated for the Rural Heritage Grant Program must be  
14 available for conducting the community-based planning process  
15 and completing the Rural Heritage Area plans. Forty-nine  
16 percent of the general revenue appropriated for the Rural  
17 Heritage Grant Program must be available for implementing  
18 projects that are identified in the local government's adopted  
19 Rural Heritage Area plan or a plan employed in lieu thereof. A  
20 local government may allocate grant money to special  
21 districts, including community redevelopment agencies and  
22 nonprofit community development organizations, to implement  
23 projects consistent with an adopted Rural Heritage Area plan  
24 or a plan employed in lieu thereof. Five percent of the  
25 revenue must be made available for "seed money" grants of not  
26 more than \$10,000 to assist local governments to begin the  
27 process of identifying Rural Heritage Areas, assembling a core  
28 group of community-based participants, and applying for  
29 planning grants. The remaining 1 percent must be made  
30 available for administrative costs incurred by the Department  
31 of Community Affairs for implementing the Rural Heritage Grant

1 Program and the Urban Infill and Redevelopment Assistance  
2 Grant Program. Projects that provide employment opportunities  
3 to clients of the WAGES Program must be given an elevated  
4 priority in the scoring of competing grant applications. To  
5 encourage rural-urban partnerships and regional planning,  
6 grant applications may be made, and grant moneys may be used,  
7 in regional or partnership projects with communities eligible  
8 to participate in the Urban Infill and Redevelopment  
9 Assistance Grant Program. The Division of Housing and  
10 Community Development of the Department of Community Affairs  
11 shall administer the grant program.

12 (c) The Department of Community Affairs, in  
13 consultation with REDI, shall adopt rules establishing grant  
14 review criteria consistent with this section.

15 (d) If the local government fails to implement  
16 sections of the Rural Heritage Area plan funded through a  
17 Rural Heritage Area implementation grant pursuant to the  
18 deadlines specified in the grant agreement, the Department of  
19 Community Affairs, in consultation with REDI, may seek to  
20 rescind the economic and regulatory incentives granted to a  
21 Rural Heritage Area or Rural Activity Center, subject to the  
22 provisions of chapter 120, Florida Statutes. The action to  
23 rescind may be initiated 90 days after issuing a written  
24 letter of warning to the local government.

25 (8) NATURE-AND-HERITAGE-BASED TOURISM BUSINESS  
26 MICRO-LOAN PROGRAM.--The statewide advisory committee on  
27 nature-and-heritage-based tourism, as established in section  
28 288.1224, Florida Statutes, shall work with Enterprise  
29 Florida, Inc., the Office of Tourism, Trade, and Economic  
30 Development, VISIT FLORIDA, the Rural Economic Development  
31 Initiative, the Florida Fish and Wildlife Conservation



1 Commission, the Division of Recreation and Parks of the  
2 Florida Department of Environmental Protection, and other  
3 appropriate entities to develop a statewide micro-loan program  
4 for the purpose of financing the creation and enhancement of  
5 small businesses providing nature-based or heritage-based  
6 tourism experiences. Examples include bicycle rentals, canoe  
7 outfitters, and bed-and-breakfast facilities in proximity to  
8 natural areas, and eco-tour operators and guides. Enterprise  
9 Florida, Inc., shall administer the program as part of the  
10 workplan under its contract with the Office of Tourism, Trade,  
11 and Economic Development, as authorized under section 14.2015,  
12 Florida Statutes, and shall provide low-interest loans of up  
13 to \$20,000 to microenterprises, as defined in section  
14 288.9618, Florida Statutes. Enterprise Florida, Inc., shall  
15 establish with funds appropriated for this purpose a revolving  
16 loan fund to finance the nature-and-heritage tourism  
17 enterprise micro-loan program. Two percent of allocated funds  
18 may be used for administration of the program. The above-named  
19 entities shall advise Enterprise Florida, Inc., regarding  
20 micro-loan program design, eligibility criteria, eligible  
21 uses, and terms of the loans. The micro-loan program shall  
22 begin providing loans to eligible businesses by March 1, 2001.  
23 Notwithstanding the provisions of section 216.301, Florida  
24 Statutes, funds appropriated for this purpose are not subject  
25 to reversion.

26 (9) EDUCATIONAL TECHNOLOGY PILOT PROGRAM.--

27 (a) The Department of Management Services, in  
28 consultation with the Department of Education, the regional  
29 consortium service organizations established under section  
30 228.0857, Florida Statutes, and institutions of higher  
31 education, shall establish two pilot projects in rural schools

1 that use wireless or other technologies to provide interactive  
2 learning opportunities and Internet access, in order to  
3 illustrate ways to increase access to quality educational  
4 resources in the state's rural areas. At least one of the  
5 pilots must include linkages to existing information  
6 technology systems in the pilot area, for example, to a public  
7 library, a university, or a four-year or community college,  
8 county or municipal government, health care facility, or  
9 private business network. The purposes of the projects are to  
10 illustrate ways to increase access to quality educational  
11 resources in the state's rural areas, to leverage federal  
12 funds available for bridging the "digital divide," to build on  
13 existing applications to create community-based networks, and  
14 to foster opportunities for innovative distribution of  
15 existing funds.

16 (b) The Department of Management Services shall select  
17 the rural schools or districts that will participate in the  
18 pilot projects in consultation with the Department of  
19 Education. The selection process shall be based on the  
20 following criteria:

21 1. Consistency with the technology capability  
22 thresholds in the state educational technology plan as  
23 developed by the Department of Education pursuant to HB 975,  
24 2000 Regular Session, or similar legislation;

25 2. Through evaluation of the school improvement plan,  
26 demonstration of how the school or district will leverage  
27 additional connectivity provided through the pilot project to  
28 improve student achievement;

29 3. If the pilot project involves wireless technology,  
30 demonstration of the school's or district's ability to  
31

1 effectively deploy wireless technology based on existing  
2 infrastructure;  
3 4. Demonstration of commitment of the leadership of  
4 the school and district to use technology to improve teaching  
5 and learning;  
6 5. If the pilot project involves wireless technology,  
7 potential cost savings or improved access resulting from the  
8 use of wireless rather than traditional connectivity  
9 technology;  
10 6. The ability to use the technology infrastructure in  
11 other local government applications within the service area;  
12 and  
13 7. Demonstration of willingness and ability of the  
14 community to assume ongoing costs to maintain the pilot  
15 project for a minimum 5-year period. Such willingness and  
16 ability may be demonstrated through intracommunity agreements  
17 or other means.  
18 (c) The Department of Management Services, in  
19 consultation with the Department of Education, shall annually  
20 evaluate the pilot projects based upon consistency with the  
21 Sunshine State Standards, as described in section 229.57,  
22 Florida Statutes, with broader community-based standards as  
23 appropriate, and with the state educational technology plan,  
24 as developed and annually updated by the Department of  
25 Education pursuant to HB 975, 2000 Regular Session, or similar  
26 legislation.  
27 (10) AGRICULTURAL CONSERVATION AND PROFITABILITY.--  
28 (a) The Department of Agriculture and Consumer  
29 Services, in consultation with the University of Florida and  
30 the Florida Agricultural and Mechanical University, shall  
31 establish four pilot projects aimed at encouraging

1 agricultural diversification throughout the state. Two of the  
2 projects must introduce alternative crops, such as hot  
3 peppers, amaranth, or pigeon peas, or alternative growing  
4 techniques, for example, greenhouse vegetable production in  
5 north Florida or early-season blueberries and peaches. At  
6 least one of these two projects shall include a tobacco farm  
7 that is being adversely impacted by reductions in tobacco  
8 quotas. A third pilot project must introduce a value-added  
9 activity or industry such as fruit or vegetable processing or  
10 packaging into a farming community as a means of increasing  
11 the profitability of current farm products for local growers.  
12 The fourth pilot project should focus on aquaculture, such as  
13 development of the state's sturgeon industry or the  
14 development or expansion of coastal shellfish enterprises. The  
15 purpose of the pilot projects is to demonstrate alternative  
16 crops, techniques, and industries that can enhance the  
17 profitability and sustainability of agriculture in Florida.  
18 The Commissioner of Agriculture shall, in consultation with  
19 the Agricultural Economic Development Project Review Committee  
20 as described in section 570.248, Florida Statutes, select  
21 pilot projects based on evaluation criteria for agricultural  
22 economic development projects delineated in section 570.247,  
23 Florida Statutes. The Commissioner of Agriculture shall report  
24 annually to the Agricultural Economic Development Project  
25 Review Committee on the progress of the pilot projects for the  
26 duration of the projects based on performance measures  
27 developed for each project consistent with sections 570.244,  
28 570.246, and 570.247, Florida Statutes.

29 (b) As authorized in section 403.0752, Florida  
30 Statutes, and based on results of current "whole farm  
31 planning" pilot projects, the Florida Department of

1 Environmental Protection shall work with willing partners to  
2 streamline the permitting process for agricultural land uses.  
3 (11) REVIEW AND EVALUATION.--The Office of Program  
4 Policy Analysis and Government Accountability shall perform a  
5 review and evaluation of the grant program and financial  
6 incentives, including the educational technology pilot  
7 program. The report must evaluate the effectiveness of the  
8 designation of rural planning areas in promoting economic  
9 prosperity and preserving rural character in the state's rural  
10 areas. This report may be conducted in conjunction with a  
11 review of the Urban Infill and Redevelopment Assistance Grant  
12 Program. A report of the findings and recommendations of the  
13 Office of Program Policy Analysis and Government  
14 Accountability must be submitted to the President of the  
15 Senate and the Speaker of the House of Representatives before  
16 the 2005 Regular Session of the Legislature.

17 Section 2. Paragraph (a) of subsection (6) and  
18 subsection (11) of section 163.3177, Florida Statutes, are  
19 amended to read:

20 163.3177 Required and optional elements of  
21 comprehensive plan; studies and surveys.--

22 (6) In addition to the requirements of subsections  
23 (1)-(5), the comprehensive plan shall include the following  
24 elements:

25 (a) A future land use plan element designating  
26 proposed future general distribution, location, and extent of  
27 the uses of land for residential uses, commercial uses,  
28 industry, agriculture, recreation, conservation, education,  
29 public buildings and grounds, other public facilities, and  
30 other categories of the public and private uses of land. The  
31 future land use plan shall include standards to be followed in

1 the control and distribution of population densities and  
2 building and structure intensities. The proposed  
3 distribution, location, and extent of the various categories  
4 of land use shall be shown on a land use map or map series  
5 which shall be supplemented by goals, policies, and measurable  
6 objectives. Each land use category shall be defined in terms  
7 of the types of uses included and specific standards for the  
8 density or intensity of use. The future land use plan shall  
9 be based upon surveys, studies, and data regarding the area,  
10 including the amount of land required to accommodate  
11 anticipated growth; the projected population of the area; the  
12 character of undeveloped land; the availability of public  
13 services; the need for redevelopment, including the renewal of  
14 blighted areas and the elimination of nonconforming uses which  
15 are inconsistent with the character of the community; and, in  
16 rural communities, the need for job creation, capital  
17 investment, and economic development that will strengthen and  
18 diversify the community's economy. The future land use plan  
19 may designate areas for future planned development use  
20 involving combinations of types of uses for which special  
21 regulations may be necessary to ensure development in accord  
22 with the principles and standards of the comprehensive plan  
23 and this act. In addition, for rural communities, the amount  
24 of land designated for future planned industrial use shall be  
25 based upon surveys and studies that reflect the need for job  
26 creation, capital investment, and the necessity to strengthen  
27 and diversify the local economies, and shall not be limited  
28 solely by the projected population of the rural community. The  
29 future land use plan of a county may also designate areas for  
30 possible future municipal incorporation. The land use maps or  
31 map series shall generally identify and depict historic

1 district boundaries and shall designate historically  
2 significant properties meriting protection. The future land  
3 use element must clearly identify the land use categories in  
4 which public schools are an allowable use. When delineating  
5 the land use categories in which public schools are an  
6 allowable use, a local government shall include in the  
7 categories sufficient land proximate to residential  
8 development to meet the projected needs for schools in  
9 coordination with public school boards and may establish  
10 differing criteria for schools of different type or size. Each  
11 local government shall include lands contiguous to existing  
12 school sites, to the maximum extent possible, within the land  
13 use categories in which public schools are an allowable use.  
14 All comprehensive plans must comply with the school siting  
15 requirements of this paragraph no later than October 1, 1999.  
16 The failure by a local government to comply with these school  
17 siting requirements by October 1, 1999, will result in the  
18 prohibition of the local government's ability to amend the  
19 local comprehensive plan, except for plan amendments described  
20 in s. 163.3187(1)(b), until the school siting requirements are  
21 met. An amendment proposed by a local government for purposes  
22 of identifying the land use categories in which public schools  
23 are an allowable use is exempt from the limitation on the  
24 frequency of plan amendments contained in s. 163.3187. The  
25 future land use element shall include criteria which encourage  
26 the location of schools proximate to urban residential areas  
27 to the extent possible and shall require that the local  
28 government seek to collocate public facilities, such as parks,  
29 libraries, and community centers, with schools to the extent  
30 possible. For schools serving predominantly rural areas, an  
31

1 agricultural land use category may be eligible for the  
2 location of public school facilities.

3 (11)(a) The Legislature recognizes the need for  
4 innovative planning and development strategies which will  
5 address the anticipated demands of continued urbanization of  
6 Florida's coastal and other environmentally sensitive areas,  
7 and which will accommodate the development of less populated  
8 regions of the state which seek economic development and which  
9 have suitable land and water resources to accommodate growth  
10 in an environmentally acceptable manner. The Legislature  
11 further recognizes the substantial advantages of innovative  
12 approaches to development which may better serve to protect  
13 environmentally sensitive areas, maintain the economic  
14 viability of agricultural and other predominantly rural land  
15 uses, and provide for the cost-efficient delivery of public  
16 facilities and services.

17 (b) It is the intent of the Legislature that the local  
18 government comprehensive plans and plan amendments adopted  
19 pursuant to the provisions of this part provide for a planning  
20 process which allows for land use efficiencies within existing  
21 urban areas and which also allows for the conversion of rural  
22 lands to other uses, where appropriate and consistent with the  
23 other provisions of this part and the affected local  
24 comprehensive plans, through the application of innovative and  
25 flexible planning and development strategies and creative land  
26 use planning techniques, which may include, but not be limited  
27 to, urban villages, new towns, satellite communities,  
28 area-based allocations, clustering and open space provisions,  
29 mixed-use development, and sector planning.

30 (c) Lands classified in the future land use plan  
31 element as agricultural, rural, open, open/rural, or a



1 substantively equivalent land use shall also be deemed  
2 suitable for innovative planning and development strategies  
3 described in paragraphs (a) and (b) which are recognized as  
4 methods for discouraging urban sprawl and which are consistent  
5 with the provisions of the state comprehensive plan, regional  
6 policy plans, and this part.

7 (d) The Department of Community Affairs, in  
8 conjunction with the Department of Agriculture and Consumer  
9 Services, shall, by no later than February 1, 2001, prepare  
10 and submit to the Governor, the Speaker of the House of  
11 Representatives, and the President of the Senate a report on a  
12 program of planning incentives, economic incentives, and other  
13 measures as may be necessary to facilitate the timely  
14 implementation of innovative planning and development  
15 strategies described in paragraphs (a), (b), and (c) while  
16 protecting environmentally sensitive areas, maintaining the  
17 economic viability of agriculture and other predominantly  
18 rural land uses, and providing for the cost-efficient delivery  
19 of public facilities and services. Such incentives and other  
20 measures shall address the following:

21 1. "Smart growth" strategies within rural areas which  
22 proactively address both the pressures of population growth  
23 and the substantial need for rural economic development.

24 2. The importance of maintaining rural land values as  
25 the cornerstone of maintaining a viable rural economy.

26 3. Expression of the contents of paragraphs (a), (b),  
27 and (c) in the form of practical and easily understood  
28 planning guidelines.

29 4. A rural lands stewardship program under which the  
30 owners of rural property are encouraged to convey development  
31 rights in exchange for smart growth development credits which

1 are transferable to other rural areas in which innovative  
2 development and strategies are applied as part of a pattern of  
3 land use which protects environmentally sensitive areas,  
4 maintains the economic viability of agriculture and other  
5 predominantly rural land uses, and provides for the  
6 cost-efficient delivery of public facilities and services.

7 5. Strategies and incentives to reward best management  
8 practices for agricultural activities consistent with the  
9 conservation and protection of environmentally sensitive areas  
10 and sound water management practices.

11 6. The coordination of state transportation  
12 facilities, including roadways, railways, and port facilities,  
13 to provide for the transportation of agricultural products and  
14 supplies.

15  
16 It is intent of the Legislature that the program described in  
17 this paragraph be created in a careful and considered manner,  
18 and accordingly there shall be no reduction in residential  
19 density, without the property owner's consent, on property  
20 classified as agricultural, rural, open, open/rural, or a  
21 substantially equivalent land use until July 1, 2001, in order  
22 to provide for this study process and legislative  
23 consideration thereof.

24 (e)(c) It is the further intent of the Legislature  
25 that local government comprehensive plans and implementing  
26 land development regulations shall provide strategies which  
27 maximize the use of existing facilities and services through  
28 redevelopment, urban infill development, and other strategies  
29 for urban revitalization.

30  
31

1           (f)~~(d)~~ The implementation of this subsection shall be  
2 subject to the provisions of this chapter, chapters 186 and  
3 187, and applicable agency rules.

4           (g)~~(e)~~ The department shall implement the provisions  
5 of this subsection by rule.

6           Section 3. Paragraph (g) of subsection (3) of section  
7 163.06, Florida Statutes, is amended to read:

8           163.06 Miami River Commission.--

9           (3) The policy committee shall have the following  
10 powers and duties:

11           (g) Coordinate a joint planning area agreement between  
12 the Department of Community Affairs, the city, and the county  
13 under the provisions of s. 163.3177(11)(a), (b), and(e)~~(e)~~.

14           Section 4. Paragraphs (c) and (i) of subsection (1) of  
15 section 163.3187, Florida Statutes, are amended to read:

16           163.3187 Amendment of adopted comprehensive plan.--

17           (1) Amendments to comprehensive plans adopted pursuant  
18 to this part may be made not more than two times during any  
19 calendar year, except:

20           (c) Any local government comprehensive plan amendments  
21 directly related to proposed small scale development  
22 activities may be approved without regard to statutory limits  
23 on the frequency of consideration of amendments to the local  
24 comprehensive plan. A small scale development amendment may  
25 be adopted only under the following conditions:

26           1. The proposed amendment involves a use of 10 acres  
27 or fewer and:

28           a. The cumulative annual effect of the acreage for all  
29 small scale development amendments adopted by the local  
30 government shall not exceed:

31

1 (I) A maximum of 120 acres in a local government that  
2 contains areas specifically designated in the local  
3 comprehensive plan for urban infill, urban redevelopment, or  
4 downtown revitalization as defined in s. 163.3164, urban  
5 infill and redevelopment areas designated under s. 163.2517,  
6 Rural Activity Centers designated under the Florida Rural  
7 Heritage Act, transportation concurrency exception areas  
8 approved pursuant to s. 163.3180(5), or regional activity  
9 centers and urban central business districts approved pursuant  
10 to s. 380.06(2)(e); however, amendments under this paragraph  
11 may be applied to no more than 60 acres annually of property  
12 outside the designated areas listed in this  
13 sub-sub-subparagraph.

14 (II) A maximum of 80 acres in a local government that  
15 does not contain any of the designated areas set forth in  
16 sub-sub-subparagraph (I).

17 (III) A maximum of 120 acres in a county established  
18 pursuant to s. 9, Art. VIII of the State Constitution.

19 b. The proposed amendment does not involve the same  
20 property granted a change within the prior 12 months.

21 c. The proposed amendment does not involve the same  
22 owner's property within 200 feet of property granted a change  
23 within the prior 12 months.

24 d. The proposed amendment does not involve a text  
25 change to the goals, policies, and objectives of the local  
26 government's comprehensive plan, but only proposes a land use  
27 change to the future land use map for a site-specific small  
28 scale development activity.

29 e. The property that is the subject of the proposed  
30 amendment is not located within an area of critical state  
31 concern.

1           f. If the proposed amendment involves a residential  
2 land use, the residential land use has a density of 10 units  
3 or less per acre, except that this limitation does not apply  
4 to small scale amendments described in sub-sub-subparagraph  
5 a.(I) that are designated in the local comprehensive plan for  
6 urban infill, urban redevelopment, or downtown revitalization  
7 as defined in s. 163.3164, urban infill and redevelopment  
8 areas designated under s. 163.2517, transportation concurrency  
9 exception areas approved pursuant to s. 163.3180(5), or  
10 regional activity centers and urban central business districts  
11 approved pursuant to s. 380.06(2)(e), or Rural Activity  
12 Centers designated under the Florida Rural Heritage Act.

13           2.a. A local government that proposes to consider a  
14 plan amendment pursuant to this paragraph is not required to  
15 comply with the procedures and public notice requirements of  
16 s. 163.3184(15)(c) for such plan amendments if the local  
17 government complies with the provisions in s. 125.66(4)(a) for  
18 a county or in s. 166.041(3)(c) for a municipality. If a  
19 request for a plan amendment under this paragraph is initiated  
20 by other than the local government, public notice is required.

21           b. The local government shall send copies of the  
22 notice and amendment to the state land planning agency, the  
23 regional planning council, and any other person or entity  
24 requesting a copy. This information shall also include a  
25 statement identifying any property subject to the amendment  
26 that is located within a coastal high hazard area as  
27 identified in the local comprehensive plan.

28           3. Small scale development amendments adopted pursuant  
29 to this paragraph require only one public hearing before the  
30 governing board, which shall be an adoption hearing as  
31 described in s. 163.3184(7), and are not subject to the

1 requirements of s. 163.3184(3)-(6) unless the local government  
2 elects to have them subject to those requirements.

3 (i) A comprehensive plan amendment for the purpose of  
4 designating an urban infill and redevelopment area under s.  
5 163.2517 or a Rural Heritage Area or Rural Activity Center  
6 under the Florida Rural Heritage Act may be approved without  
7 regard to the statutory limits on the frequency of amendments  
8 to the comprehensive plan.

9 Section 5. Subsections (5), (10), (16), (22), (23),  
10 and (24) of section 187.201, Florida Statutes, are amended to  
11 read:

12 187.201 State Comprehensive Plan adopted.--The  
13 Legislature hereby adopts as the State Comprehensive Plan the  
14 following specific goals and policies:

15 (5) HOUSING.--

16 (a) Goal.--The public and private sectors shall  
17 increase the affordability and availability of housing for  
18 low-income and moderate-income persons, including citizens in  
19 rural areas, while at the same time encouraging  
20 self-sufficiency of the individual and assuring environmental  
21 and structural quality and cost-effective operations.

22 (b) Policies.--

23 1. Eliminate public policies which result in housing  
24 discrimination, and develop policies which encourage housing  
25 opportunities for all Florida's citizens.

26 2. Diminish the use of institutions to house persons  
27 by promoting deinstitutionalization to the maximum extent  
28 possible.

29 3. Increase the supply of safe, affordable, and  
30 sanitary housing for low-income and moderate-income persons  
31 and elderly persons by alleviating housing shortages,

1 recycling older houses and redeveloping residential  
2 neighborhoods, identifying housing needs, providing incentives  
3 to the private sector to build affordable housing, encouraging  
4 public-private partnerships to maximize the creation of  
5 affordable housing, and encouraging research into low-cost  
6 housing construction techniques, considering life-cycle  
7 operating costs.

8           4. Reduce the cost of housing construction by  
9 eliminating unnecessary regulatory practices which add to the  
10 cost of housing.

11           5. Provide incentives and encourage research to  
12 increase the supply of safe, affordable, and sanitary housing  
13 for low, very low, and moderate income residents of rural  
14 areas, as defined in s. 420.602. Such incentives and research  
15 must take into account the importance of development that  
16 preserves the rural character of the area, and seek to  
17 mitigate the increased per-unit cost of small housing projects  
18 appropriate to rural areas over the per-unit cost for larger  
19 developments.

20           (10) NATURAL SYSTEMS AND RECREATIONAL LANDS.--

21           (a) Goal.--Florida shall protect and acquire unique  
22 natural habitats and ecological systems, such as wetlands,  
23 tropical hardwood hammocks, palm hammocks, and virgin longleaf  
24 pine forests, and restore degraded natural systems to a  
25 functional condition.

26           (b) Policies.--

27           1. Conserve forests, wetlands, fish, marine life, and  
28 wildlife to maintain their environmental, economic, aesthetic,  
29 and recreational values.

30  
31

- 1           2. Acquire, retain, manage, and inventory public lands  
2 to provide recreation, conservation, and related public  
3 benefits.
- 4           3. Prohibit the destruction of endangered species and  
5 protect their habitats.
- 6           4. Establish an integrated regulatory program to  
7 assure the survival of endangered and threatened species  
8 within the state.
- 9           5. Promote the use of agricultural practices which are  
10 compatible with the protection of wildlife and natural  
11 systems.
- 12          6. Encourage multiple use of forest resources, where  
13 appropriate, to provide for timber production, recreation,  
14 wildlife habitat, watershed protection, erosion control, and  
15 maintenance of water quality.
- 16          7. Protect and restore the ecological functions of  
17 wetlands systems to ensure their long-term environmental,  
18 economic, and recreational value.
- 19          8. Promote restoration of the Everglades system and of  
20 the hydrological and ecological functions of degraded or  
21 substantially disrupted surface waters.
- 22          9. Develop and implement a comprehensive planning,  
23 management, and acquisition program to ensure the integrity of  
24 Florida's river systems.
- 25          10. Emphasize the acquisition and maintenance of  
26 ecologically intact systems in all land and water planning,  
27 management, and regulation.
- 28          11. Expand state and local efforts to provide  
29 recreational opportunities to urban areas, including the  
30 development of activity-based parks.
- 31



1           12. Protect and expand park systems throughout the  
2 state.

3           13. Encourage the use of public and private financial  
4 and other resources for the development of recreational and  
5 nature-based tourism opportunities at the state and local  
6 levels when consistent with natural-system conservation  
7 principles and practices.

8           (16) LAND USE.--

9           (a) Goal.--In recognition of the importance of  
10 preserving the natural resources and enhancing the quality of  
11 life of the state, development shall be directed to those  
12 areas which have in place, or have agreements to provide, the  
13 land and water resources, fiscal abilities, and service  
14 capacity to accommodate growth in an environmentally  
15 acceptable manner.

16           (b) Policies.--

17           1. Promote state programs, investments, and  
18 development and redevelopment activities which encourage  
19 efficient development and occur in areas which will have the  
20 capacity to service new population and commerce.

21           2. Develop a system of incentives and disincentives  
22 which encourages a separation of urban and rural land uses  
23 while protecting water supplies, resource development, and  
24 fish and wildlife habitats.

25           3. Enhance the livability and character of urban areas  
26 through the encouragement of an attractive and functional mix  
27 of living, working, shopping, and recreational activities.

28           4. Recognize the interwoven nature of the  
29 relationships among rural communities, agricultural lands,  
30 open space lands, urban centers, regions, and the state, and  
31 the importance of fiscally and culturally strong rural

1 communities to state and regional economies and resources.  
2 Promote state and local programs that foster integrated and  
3 coordinated community planning efforts. Pursue land use,  
4 educational, recreational, economic, transportation, housing,  
5 information technology, and social service delivery  
6 initiatives in the context of community planning goals.  
7       ~~5.4.~~ Develop a system of intergovernmental negotiation  
8 for siting locally unpopular public and private land uses  
9 which considers the area of population served, the impact on  
10 land development patterns or important natural resources, and  
11 the cost-effectiveness of service delivery.  
12       ~~6.5.~~ Encourage and assist local governments in  
13 establishing comprehensive impact-review procedures to  
14 evaluate the effects of significant development activities in  
15 their jurisdictions.  
16       ~~7.6.~~ Consider, in land use planning and regulation,  
17 the impact of land use on water quality and quantity; the  
18 availability of land, water, and other natural resources to  
19 meet demands; and the potential for flooding.  
20       ~~8.7.~~ Provide educational programs and research to meet  
21 state, regional, and local planning and growth-management  
22 needs.  
23       (22) THE ECONOMY.--  
24       (a) Goal.--Florida shall promote an economic climate  
25 which provides economic stability, maximizes job  
26 opportunities, and increases per capita income for its  
27 residents.  
28       (b) Policies.--  
29       1. Attract new job-producing industries, corporate  
30 headquarters, distribution and service centers, regional  
31

- 1 offices, and research and development facilities to provide  
2 quality employment for the residents of Florida.
- 3 2. Promote entrepreneurship and small and  
4 minority-owned business startup by providing technical and  
5 information resources, facilitating capital formation, and  
6 removing regulatory restraints which are unnecessary for the  
7 protection of consumers and society.
- 8 3. Maintain, as one of the state's primary economic  
9 assets, the environment, including clean air and water,  
10 beaches, forests, historic landmarks, and agricultural and  
11 natural resources, and support rural communities in developing  
12 nature-and-heritage-based tourism enterprises consistent with  
13 conservation of these natural resources in order to provide  
14 economic benefit to those living in closest proximity to those  
15 assets.
- 16 4. Strengthen Florida's position in the world economy  
17 through attracting foreign investment and promoting  
18 international banking and trade.
- 19 5. Build on the state's attractiveness to make it a  
20 leader in the visual and performing arts and in all phases of  
21 film, television, and recording production.
- 22 6. Promote economic development for Florida residents  
23 through partnerships among education, business, industry,  
24 agriculture, and the arts.
- 25 7. Provide increased opportunities for training  
26 Florida's workforce to provide skilled employees for new and  
27 expanding business.
- 28 8. Promote economic self-sufficiency through training  
29 and educational programs which result in productive  
30 employment.
- 31

- 1           9. Promote cooperative employment arrangements between  
2 private employers and public sector employment efforts to  
3 provide productive, permanent employment opportunities for  
4 public assistance recipients through provisions of education  
5 opportunities, tax incentives, and employment training.
- 6           10. Provide for nondiscriminatory employment  
7 opportunities.
- 8           11. Provide quality child day care for public  
9 assistance families and others who need it in order to work.
- 10           12. Encourage the development of a business climate  
11 that provides opportunities for the growth and expansion of  
12 existing state industries, particularly those industries which  
13 are compatible with Florida's environment.
- 14           13. Promote coordination among Florida's ports to  
15 increase their utilization.
- 16           14. Encourage the full utilization by businesses of  
17 the economic development enhancement programs implemented by  
18 the Legislature for the purpose of extensively involving  
19 private businesses in the development and expansion of  
20 permanent job opportunities, especially for the economically  
21 disadvantaged, through the utilization of enterprise zones,  
22 community development corporations, and other programs  
23 designed to enhance economic and employment opportunities.
- 24           (23) AGRICULTURE.--
- 25           (a) Goal.--Florida shall maintain and strive to expand  
26 its food, agriculture, ornamental horticulture, aquaculture,  
27 forestry, and related industries in order to be a healthy and  
28 competitive force in the national and international  
29 marketplace.
- 30           (b) Policies.--
- 31

- 1           1. Ensure that goals and policies contained in state  
2 and regional plans are not interpreted to permanently restrict  
3 the conversion of agricultural lands to other uses, while  
4 creating and providing economically viable options for those  
5 landowners who wish their lands to remain in agricultural  
6 uses.
- 7           2. Encourage diversification within the agriculture  
8 industry, especially to reduce the vulnerability of  
9 communities that are largely reliant upon agriculture for  
10 either income or employment.
- 11          3. Promote and increase international agricultural  
12 marketing opportunities for all Florida agricultural  
13 producers.
- 14          4. Stimulate research, development, and application of  
15 agricultural technology to promote and enhance the  
16 conservation, production, and marketing techniques available  
17 to the agriculture industry.
- 18          5. Encourage conservation, wastewater recycling, and  
19 other appropriate measures to assure adequate water resources  
20 to meet agricultural and other beneficial needs.
- 21          6. Promote entrepreneurship in the agricultural sector  
22 by providing technical and informational services.
- 23          7. Stimulate continued productivity through investment  
24 in education and research.
- 25          8. Encourage development of biological pest controls  
26 to further the reduction in reliance on chemical controls.
- 27          9. Conserve soil resources to maintain the economic  
28 value of land for agricultural pursuits and to prevent  
29 sedimentation in state waters.
- 30          10. Promote the vitality of Florida's agricultural  
31 industry through continued funding of basic research,

1 extension, inspection, and analysis services and of programs  
2 providing for marketing and technical assistance and the  
3 control and eradication of diseases and infestations.  
4 11. Continue to promote the use of lands for  
5 agricultural purposes by maintaining preferential property tax  
6 treatment through the greenbelt law.  
7 12. Ensure that coordinated state planning of road,  
8 rail, and waterborne transportation systems provides adequate  
9 facilities for the economical transport of agricultural  
10 products and supplies between producing areas and markets.  
11 13. Eliminate the discharge of inadequately treated  
12 wastewater and stormwater runoff into waters of the state.  
13 (24) TOURISM.--  
14 (a) Goal.--Florida will attract at least 55 million  
15 tourists annually by 1995 and shall support efforts by all  
16 areas of the state wishing to develop or expand  
17 tourist-related economies.  
18 (b) Policies.--  
19 1. Promote statewide tourism and support promotional  
20 efforts in those parts of the state that desire to attract  
21 visitors.  
22 2. Acquire and manage public lands to offer visitors  
23 and residents increased outdoor experiences.  
24 3. Promote awareness of historic places and cultural  
25 and historical activities.  
26 4. Develop a nature-and-heritage-based tourism  
27 industry that meets growing public demand, protects the  
28 state's natural and cultural resources, and contributes to  
29 economic prosperity, especially in the state's rural  
30 communities.  
31

1 Section 6. Paragraph (b) of subsection (2) of section  
2 212.096, Florida Statutes, is amended to read:

3 212.096 Sales, rental, storage, use tax; enterprise  
4 zone jobs credit against sales tax.--

5 (2)

6 (b) The credit shall be computed as follows:

7 1. Ten percent of the monthly wages paid in this state  
8 to each new employee whose wages do not exceed \$1,500 a month.

9 If no less than 20 percent of the employees of the business  
10 are residents of an enterprise zone, excluding temporary and  
11 part-time employees, the credit shall be computed as 15

12 percent of the monthly wages paid in this state to each new  
13 employee. If the business is located in an enterprise zone

14 within the jurisdiction of a rural county or city as defined  
15 in s. 288.106, the credit must be computed as 15 percent of

16 the actual monthly wages paid in this state to each new  
17 employee for a period of up to 12 consecutive months,

18 regardless of the percentage of employees of the business  
19 residing in the enterprise zone, provided that the employees

20 are residents of the county within which the rural enterprise  
21 zone is located;

22 2. Five percent of the first \$1,500 of actual monthly  
23 wages paid in this state for each new employee whose wages  
24 exceed \$1,500 a month; or

25 3. Fifteen percent of the first \$1,500 of actual  
26 monthly wages paid in this state for each new employee who is  
27 a WAGES Program participant pursuant to chapter 414.

28  
29 For purposes of this paragraph, monthly wages shall be  
30 computed as one-twelfth of the expected annual wages paid to  
31 such employee. The amount paid as wages to a new employee is

1 the compensation paid to such employee that is subject to  
2 unemployment tax. The credit shall be allowed for up to 12  
3 consecutive months, beginning with the first tax return due  
4 pursuant to s. 212.11 after approval by the department.

5 Section 7. Paragraph (a) of subsection (1) of section  
6 220.181, Florida Statutes, is amended to read:

7 220.181 Enterprise zone jobs credit.--

8 (1)(a) Beginning July 1, 1995, there shall be allowed  
9 a credit against the tax imposed by this chapter to any  
10 business located in an enterprise zone which employs one or  
11 more new employees. The credit shall be computed as follows:

12 1. Ten percent of the actual monthly wages paid in  
13 this state to each new employee whose wages do not exceed  
14 \$1,500 a month. If no less than 20 percent of the employees of  
15 the business are residents of an enterprise zone, excluding  
16 temporary and part-time employees, the credit shall be  
17 computed as 15 percent of the actual monthly wages paid in  
18 this state to each new employee, for a period of up to 12  
19 consecutive months. If the business is located in an  
20 enterprise zone within the jurisdiction of a rural county or  
21 city as defined in s. 288.106, the credit must be computed as  
22 15 percent of the actual monthly wages paid in this state to  
23 each new employee for a period of up to 12 consecutive months,  
24 regardless of the percentage of employees of the business  
25 residing in the enterprise zone, provided that the employees  
26 are residents of the county within which the rural enterprise  
27 zone is located;

28 2. Five percent of the first \$1,500 of actual monthly  
29 wages paid in this state for each new employee whose wages  
30 exceed \$1,500 a month; or

31



1           3. Fifteen percent of the first \$1,500 of actual  
2 monthly wages paid in this state for each new employee who is  
3 a WAGES Program participant pursuant to chapter 414.  
4           Section 8. Subsection (4) of section 290.0055, Florida  
5 Statutes, is amended to read:  
6           290.0055 Local nominating procedure.--  
7           (4) An area nominated by a county or municipality, or  
8 a county and one or more municipalities together, for  
9 designation as an enterprise zone shall be eligible for  
10 designation under s. 290.0065 only if it meets the following  
11 criteria:  
12           (a) The selected area does not exceed 20 square miles.  
13 The selected area must have a continuous boundary, or consist  
14 of not more than three noncontiguous parcels.  
15           (b)1. The selected area does not exceed the following  
16 mileage limitation:  
17           2. For communities having a total population of  
18 150,000 persons or more, the selected area shall not exceed 20  
19 square miles.  
20           3. For communities having a total population of 50,000  
21 persons or more but less than 150,000 persons, the selected  
22 area shall not exceed 10 square miles.  
23           4. For communities having a total population of 20,000  
24 persons or more but less than 50,000 persons, the selected  
25 area shall not exceed 5 square miles.  
26           5. For communities having a total population of 7,500  
27 persons or more but less than 20,000 persons, the selected  
28 area shall not exceed 3 square miles.  
29           6. For communities having a total population of less  
30 than 7,500 persons, the selected area shall not exceed 3  
31 square miles.

1           7. For communities within the jurisdiction of a rural  
2 county or city as defined in s. 288.106, the selected area  
3 shall not exceed 15 square miles, regardless of total  
4 population.

5           (c) The selected area does not include any portion of  
6 a central business district, as that term is used for purposes  
7 of the most recent Census of Retail Trade, unless the poverty  
8 rate for each census geographic block group in the district is  
9 not less than 30 percent. This paragraph does not apply to any  
10 area nominated in a county that has a population which is less  
11 than 50,000.

12           (d) The selected area suffers from pervasive poverty,  
13 unemployment, and general distress, as described and measured  
14 pursuant to s. 290.0058.

15           Section 9. Section 420.507, Florida Statutes, is  
16 amended to read:

17           420.507 Powers of the corporation.--The corporation  
18 shall have all the powers necessary or convenient to carry out  
19 and effectuate the purposes and provisions of this part,  
20 including the following powers which are in addition to all  
21 other powers granted by other provisions of this part:

22           (1) To sue and be sued, to have a seal, to alter the  
23 same at pleasure and to authorize the use of a facsimile  
24 thereof, and to make and execute contracts and other  
25 instruments necessary or convenient to the exercise of the  
26 powers of the corporation.

27           (2) To undertake and carry out studies and analyses of  
28 housing needs within the state and ways of meeting those  
29 needs.

30           (3) To participate in federal housing assistance and  
31 federal community development, insurance, and guarantee

1 programs and to agree and comply with any conditions attached  
2 to federal financial assistance, including, without  
3 limitation, the waiver of exemption from federal income  
4 taxation on interest payable on its bonds, unless expressly  
5 prohibited by this act.

6 (4) To provide for the collection and payment of fees  
7 and charges, regardless of method of payment, in connection  
8 with its loans, commitments, and servicing, including, but not  
9 limited to, reimbursement of costs of financing by the  
10 corporation, service charges and insurance premiums as the  
11 corporation shall determine to be reasonable and as shall be  
12 approved by the corporation. The fees and charges may be paid  
13 directly by the borrower to the insurer, lender, or servicing  
14 agent or may be deducted from the interest collected by such  
15 insurer, lender, or servicing agent.

16 (5) To acquire real and personal property or any  
17 interest therein when such acquisition is necessary or  
18 appropriate to protect any loan or to participate in any  
19 program in which the corporation has an interest; to sell,  
20 transfer, and convey any such property to a buyer without  
21 regard to the provisions of chapters 253 and 270; and, in the  
22 event that such sale, transfer, or conveyance cannot be  
23 effected with reasonable promptness or at a reasonable price,  
24 to lease such property for occupancy.

25 (6) To borrow money through the issuance of bonds or  
26 from the Federal Home Loan Bank or Rural Housing Services of  
27 the United States Department of Agriculture for the purposes  
28 provided in this part, to provide for and secure the payment  
29 thereof, and to provide for the rights of the holders thereof.

30  
31

- 1           (7) To purchase bonds of the corporation out of any  
2 funds or moneys of the corporation available therefor and to  
3 hold, cancel, or resell such bonds.
- 4           (8) To invest any funds held in reserves or sinking  
5 funds, or any funds not required for immediate disbursement,  
6 in such investments as may be authorized for trust funds under  
7 s. 215.47 and in any authorized investments, provided such  
8 investments will be made on behalf of the corporation by the  
9 State Board of Administration or by another trustee appointed  
10 for that purpose.
- 11           (9) To set standards for residential housing financed  
12 by the corporation under this chapter and to provide for  
13 inspections to determine compliance with those standards.
- 14           (10) To contract for and to accept gifts, grants,  
15 loans, or other aid from the United States Government or any  
16 person or corporation.
- 17           (11) To insure and procure insurance against any loss  
18 in connection with any bonds of the corporation and the  
19 corporation's operations or property, including without  
20 limitation:
- 21           (a) The repayment of any loans to mortgage lenders or  
22 mortgage loans.
- 23           (b) Any project.
- 24           (c) Any bonds of the corporation, in such amounts and  
25 from such insurers, including the Federal Government, as it  
26 may deem necessary or desirable, and to pay any premiums  
27 therefor.
- 28           (12) To make rules necessary to carry out the purposes  
29 of this part and to exercise any power granted in this part  
30 pursuant to the provisions of chapter 120.
- 31

1           (13) To adopt rules necessary to carry out the  
2 purposes of the state's rural policy under the Florida Rural  
3 Heritage Act.

4           ~~(14)~~~~(13)~~ To engage the services of private consultants  
5 on a contract basis for rendering professional and technical  
6 assistance and advice.

7           ~~(15)~~~~(14)~~ To make additional conditions respecting the  
8 grant of loans or mortgage loans pursuant to this part,  
9 including, without limitation, the regulation of eligible  
10 persons and the admission of tenants and other occupants or  
11 users of projects and residential housing, and to enter into  
12 regulatory and other agreements and contracts under the  
13 provisions of this part.

14           ~~(16)~~~~(15)~~ To institute any action or proceeding against  
15 any eligible person or sponsor receiving a loan or owning any  
16 residential housing financed under the provisions of this part  
17 in any court of competent jurisdiction to enforce the  
18 provisions of this part or the terms and provisions of any  
19 agreement or contract between the corporation and such person  
20 and, in connection with any such action or proceeding, to  
21 apply for and accept the appointment, by a court of competent  
22 jurisdiction, of a receiver to take over, manage, operate, and  
23 maintain such residential housing.

24           ~~(17)~~~~(16)~~ To procure or require the procurement of a  
25 policy or policies of group life insurance or disability  
26 insurance, or both, to insure repayment of mortgage loans for  
27 residential housing in the event of the death or disability of  
28 the eligible person or persons liable therefor, and to pay any  
29 premiums therefor.

30           ~~(18)~~~~(17)~~ To renegotiate any mortgage loan or any  
31 purchase agreement with a borrower in default; to waive any

1 default or consent to the modification of the terms of any  
2 mortgage loan or any purchase agreement; and to commence,  
3 prosecute, and enforce a judgment in any action or proceeding  
4 to protect or enforce any right conferred upon it by law,  
5 mortgage loan, loan agreement or purchase agreement, contract,  
6 or other agreement, including without limitation foreclosure  
7 of the security interest on the property securing such a  
8 mortgage loan; provided that any such action or proceeding  
9 shall be brought in the name of the entity servicing the  
10 mortgage loan on behalf of the corporation and not in the name  
11 of the corporation, and in connection with any such  
12 proceeding, to bid for and purchase the property or acquire or  
13 take possession thereof and, in such event, complete,  
14 administer, pay the principal of and interest on any  
15 obligations incurred in connection with the property and  
16 dispose of and otherwise deal with the property in such manner  
17 as the corporation may deem advisable to protect its interests  
18 therein.

19       (19)~~(18)~~ To make and execute contracts for the  
20 administration, servicing, or collection of any mortgage loan  
21 or loan agreement or purchase agreement with a mortgage lender  
22 or servicing agent for the duration of the loan or agreement  
23 and pay the reasonable value of services rendered to the  
24 corporation pursuant to such contracts. The fees and charges  
25 for such services may be paid directly by the borrower to the  
26 lender or servicing agent or may be deducted from the interest  
27 collected by such lender or servicing agent.

28       (20)~~(19)~~ To fix, revise from time to time, charge, and  
29 collect fees and other charges in connection with the making  
30 of mortgage loans, the purchasing of mortgage loans, and any  
31 other services rendered by the corporation.

1        (21)~~(20)~~ To make and execute agreements, contracts,  
2 and other instruments necessary or convenient in the exercise  
3 of the powers and functions of the corporation under this  
4 part, including contracts with any person, firm, corporation,  
5 local government, or other entity; and all local governments  
6 established under the laws of the state are hereby authorized  
7 to enter into and do all things necessary to perform such  
8 contracts and otherwise cooperate with the corporation to  
9 facilitate the accomplishment of the purposes of this part.

10        (22)~~(21)~~ Review all reverse mortgage provisions  
11 proposed to be used by an individual lender or a consortium to  
12 determine that such provisions are consistent with the  
13 purposes and intent of this act. If the corporation finds  
14 that the provisions are consistent, it shall approve those  
15 provisions. If the corporation finds that the provisions are  
16 inconsistent, it shall state its objections and give the  
17 parties an opportunity to amend the provisions to overcome  
18 such objections. In approving these provisions, the  
19 corporation must determine:

20            (a) That the mortgagee is either licensed pursuant to  
21 ss. 494.006-494.0077 or specifically exempt from ss.  
22 494.006-494.0077.

23            (b) That the mortgagee has sufficient resources to  
24 finance such mortgages.

25        (23)~~(22)~~ To develop and administer the State Apartment  
26 Incentive Loan Program. In developing and administering that  
27 program, the corporation may:

28            (a) Make first, second, and other subordinated  
29 mortgage loans including variable or fixed rate loans subject  
30 to contingent interest. The corporation shall make loans  
31 exceeding 25 percent of project cost available only to

1 nonprofit organizations and public bodies which are able to  
2 secure grants, donations of land, or contributions from other  
3 sources and to projects meeting the criteria of subparagraph  
4 1. Mortgage loans shall be made available at the following  
5 rates of interest:

6       1. Zero to 3 percent interest for sponsors of projects  
7 that maintain an 80 percent occupancy of residents qualifying  
8 as farmworkers as defined in s. 420.306(7) over the life of  
9 the loan.

10       2. Three to 9 percent interest for sponsors of  
11 projects targeted at populations other than farmworkers.

12       (b) Geographically and demographically target the  
13 utilization of loans.

14       (c) Underwrite credit, and reject projects which do  
15 not meet the established standards of the corporation.

16       (d) Negotiate with governing bodies within the state  
17 after a loan has been awarded to obtain local government  
18 contributions.

19       (e) Inspect any records of a sponsor at any time  
20 during the life of the loan or the agreed period for  
21 maintaining the provisions of s. 420.5087.

22       (f) Establish, by rule, the procedure for evaluating,  
23 scoring, and competitively ranking all applications based on  
24 the criteria set forth in s. 420.5087(6)(c); determining  
25 actual loan amounts; making and servicing loans; and  
26 exercising the powers authorized in this subsection.

27       (g) Establish a loan loss insurance reserve to be used  
28 to protect the outstanding program investment in case of a  
29 default, deed in lieu of foreclosure, or foreclosure of a  
30 program loan.  
31



1            (24)~~(23)~~ To develop and administer the Florida  
2 Homeownership Assistance Program. In developing and  
3 administering the program, the corporation may:  
4            (a)1. Make subordinated loans to eligible borrowers  
5 for down payments or closing costs related to the purchase of  
6 the borrower's primary residence.  
7            2. Make permanent loans to eligible borrowers related  
8 to the purchase of the borrower's primary residence.  
9            3. Make subordinated loans to nonprofit sponsors or  
10 developers of housing for construction financing of housing to  
11 be offered for sale to eligible borrowers as a primary  
12 residence at an affordable price.  
13            (b) Establish a loan loss insurance reserve to  
14 supplement existing sources of mortgage insurance with  
15 appropriated funds.  
16            (c) Geographically and demographically target the  
17 utilization of loans.  
18            (d) Defer repayment of loans for the term of the first  
19 mortgage.  
20            (e) Establish flexible terms for loans with an  
21 interest rate not to exceed 3 percent per annum and which are  
22 nonamortizing for the term of the first mortgage.  
23            (f) Require repayment of loans upon sale, transfer,  
24 refinancing, or rental of secured property.  
25            (g) Accelerate a loan for monetary default, for  
26 failure to provide the benefits of the loans to eligible  
27 borrowers, or for violation of any other restriction placed  
28 upon the loan.  
29            (h) Adopt rules for the program and exercise the  
30 powers authorized in this subsection.  
31

1        (25)~~(24)~~ To do any and all things necessary or  
2 convenient to carry out the purposes of, and exercise the  
3 powers given and granted in, this part and the state rural  
4 policy under the Florida Rural Heritage Act.

5        (26)~~(25)~~ To develop and administer the Florida  
6 Affordable Housing Guarantee Program. In developing and  
7 administering the program, the corporation may:

8            (a) Develop criteria for determining the priority for  
9 expending the moneys in the State Housing Trust Fund.

10           (b) Select affordable housing debt to be guaranteed or  
11 additionally secured by amounts on deposit in the Affordable  
12 Housing Guarantee Fund.

13           (c) Adopt rules for the program and exercise the  
14 powers authorized in this subsection.

15        (27)~~(26)~~ To develop and administer the Predevelopment  
16 Loan Program. In developing and administering the program, the  
17 corporation may make loans and grants as provided in ss.  
18 420.521-420.529.

19        (28)~~(27)~~ Notwithstanding the provisions of chapter 282  
20 and part I of chapter 287, to establish guidelines for and to  
21 implement the purchase and procurement of materials and  
22 services for use by the corporation.

23        (29)~~(28)~~ To expend amounts advanced from the State  
24 Housing Trust Fund for the purposes of this part.

25        (30)~~(29)~~ To own real and personal property for the  
26 purposes of this part, to mortgage such property, and to sell  
27 the property without regard to the provisions of chapters 253  
28 and 270.

29        (31)~~(30)~~ To prepare and submit to the secretary of the  
30 department a budget request for purposes of the corporation,  
31 which request shall, notwithstanding the provisions of chapter

1 216 and in accordance with s. 216.351, contain a request for  
2 operational expenditures and separate requests for other  
3 authorized corporation programs. The request shall not be  
4 required to contain information on the number of employees,  
5 salaries, or any classification thereof, and the approved  
6 operating budget therefor need not comply with s.  
7 216.181(7)-(9). The secretary is authorized to include within  
8 the department's budget request the corporation's budget  
9 request in the form as authorized by this section.

10 (32)~~(31)~~ Notwithstanding the provisions of s. 216.301,  
11 to retain any unused operational expenditure appropriation for  
12 other lawful purposes of the corporation.

13 (33)~~(32)~~ To pay pensions and establish pension plans,  
14 pension trusts, and benefit and incentive plans for any and  
15 all of its current or former employees and agents.

16 (34)~~(33)~~ To receive federal funding in connection with  
17 the corporation's programs directly from the Federal  
18 Government.

19 (35)~~(34)~~ To establish the corporation's fiscal year.

20 (36)~~(35)~~ To preclude from further participation in any  
21 of the corporation's programs, for a period of up to 2 years,  
22 any applicant or affiliate of an applicant which has made a  
23 material misrepresentation or engaged in fraudulent actions in  
24 connection with any application for a corporation program.

25 (37)~~(36)~~ To provide for the development of  
26 infrastructure improvements and rehabilitation primarily in  
27 connection with residential housing consistent with the  
28 applicable local government comprehensive plan.

29 Section 10. Paragraphs (a) and (f) of subsection (6)  
30 of section 420.5087, Florida Statutes, are amended to read:

31

1           420.5087 State Apartment Incentive Loan  
2 Program.--There is hereby created the State Apartment  
3 Incentive Loan Program for the purpose of providing first,  
4 second, or other subordinated mortgage loans or loan  
5 guarantees to sponsors, including for-profit, nonprofit, and  
6 public entities, to provide housing affordable to  
7 very-low-income persons.  
8           (6) On all state apartment incentive loans, except  
9 loans made to housing communities for the elderly to provide  
10 for lifesafety, building preservation, health, sanitation, or  
11 security-related repairs or improvements, the following  
12 provisions shall apply:  
13           (a) The corporation shall establish two interest rates  
14 in accordance with s. 420.507(23)~~(22)~~(a)1. and 2.  
15           (f) The review committee established by corporation  
16 rule pursuant to this subsection shall make recommendations to  
17 the board of directors of the corporation regarding program  
18 participation under the State Apartment Incentive Loan  
19 Program. The corporation board shall make the final ranking  
20 and the decisions regarding which applicants shall become  
21 program participants based on the scores received in the  
22 competitive ranking, further review of applications, and the  
23 recommendations of the review committee. The corporation  
24 board shall approve or reject applications for loans and shall  
25 determine the tentative loan amount available to each  
26 applicant selected for participation in the program. The  
27 actual loan amount shall be determined pursuant to rule  
28 adopted pursuant to s. 420.507(23)~~(22)~~(f).  
29           Section 11. Subsections (1), (2), and (4) of section  
30 420.5088, Florida Statutes, are amended to read:  
31

1           420.5088 Florida Homeownership Assistance  
2 Program.--There is created the Florida Homeownership  
3 Assistance Program for the purpose of assisting low-income  
4 persons in purchasing a home by reducing the cost of the home  
5 with below-market construction financing, by reducing the  
6 amount of down payment and closing costs paid by the borrower  
7 to a maximum of 5 percent of the purchase price, or by  
8 reducing the monthly payment to an affordable amount for the  
9 purchaser. Loans shall be made available at an interest rate  
10 that does not exceed 3 percent. The balance of any loan is due  
11 at closing if the property is sold or transferred.

12           (1) For loans made available pursuant to s.  
13 420.507(24)~~(23)~~(a)1. or 2.:

14           (a) The corporation may underwrite and make those  
15 mortgage loans through the program to persons or families who  
16 are eligible to participate in the corporation's single-family  
17 mortgage revenue bond programs and who have incomes that do  
18 not exceed 80 percent of the state or local median income,  
19 whichever is greater, adjusted for family size. If the  
20 corporation determines that there is insufficient demand for  
21 such loans by persons or families who are eligible to  
22 participate in the corporation's single-family mortgage  
23 revenue bond programs, the corporation may make such mortgage  
24 loans to other persons or families who have incomes that do  
25 not exceed 80 percent of the state or local median income,  
26 whichever amount is greater.

27           (b) Loans shall be made available for the term of the  
28 first mortgage.

29           (c) Loans are limited to the lesser of 25 percent of  
30 the purchase price of the home or the amount necessary to  
31 enable the purchaser to meet credit underwriting criteria.

- 1           (2) For loans made pursuant to s.  
2 420.507(24)(~~23~~)(a)3.:
- 3           (a) Availability is limited to nonprofit sponsors or  
4 developers who are selected for program participation pursuant  
5 to this subsection.
- 6           (b) Preference must be given to community development  
7 corporations as defined in s. 290.033 and to community-based  
8 organizations as defined in s. 420.503.
- 9           (c) Priority must be given to projects that have  
10 received state assistance in funding project predevelopment  
11 costs.
- 12           (d) The benefits of making such loans shall be  
13 contractually provided to the persons or families purchasing  
14 homes financed under this subsection.
- 15           (e) At least 30 percent of the units in a project  
16 financed pursuant to this subsection must be sold to persons  
17 or families who have incomes that do not exceed 80 percent of  
18 the state or local median income, whichever amount is greater,  
19 adjusted for family size; and at least another 30 percent of  
20 the units in a project financed pursuant to this subsection  
21 must be sold to persons or families who have incomes that do  
22 not exceed 50 percent of the state or local median income,  
23 whichever amount is greater, adjusted for family size.
- 24           (f) The maximum loan amount may not exceed 33 percent  
25 of the total project cost.
- 26           (g) A person who purchases a home in a project  
27 financed under this subsection is eligible for a loan  
28 authorized by s. 420.507(24)(~~23~~)(a)1. or 2. in an aggregate  
29 amount not exceeding the construction loan made pursuant to  
30 this subsection. The home purchaser must meet all the  
31

1 requirements for loan recipients established pursuant to the  
2 applicable loan program.

3 (h) The corporation shall provide, by rule, for the  
4 establishment of a review committee composed of corporation  
5 staff and shall establish, by rule, a scoring system for  
6 evaluating and ranking applications submitted for construction  
7 loans under this subsection, including, but not limited to,  
8 the following criteria:

9 1. The affordability of the housing proposed to be  
10 built.

11 2. The direct benefits of the assistance to the  
12 persons who will reside in the proposed housing.

13 3. The demonstrated capacity of the applicant to carry  
14 out the proposal, including the experience of the development  
15 team.

16 4. The economic feasibility of the proposal.

17 5. The extent to which the applicant demonstrates  
18 potential cost savings by combining the benefits of different  
19 governmental programs and private initiatives, including the  
20 local government contributions and local government  
21 comprehensive planning and activities that promote affordable  
22 housing.

23 6. The use of the least amount of program loan funds  
24 compared to overall project cost.

25 7. The provision of homeownership counseling.

26 8. The applicant's agreement to exceed the  
27 requirements of paragraph (e).

28 9. The commitment of first mortgage financing for the  
29 balance of the construction loan and for the permanent loans  
30 to the purchasers of the housing.

31

1           10. The applicant's ability to proceed with  
2 construction.

3           11. The targeting objectives of the corporation which  
4 will ensure an equitable distribution of loans between rural  
5 and urban areas.

6           12. The extent to which the proposal will further the  
7 purposes of this program.

8           (i) The corporation may reject any and all  
9 applications.

10           (j) The review committee established by corporation  
11 rule pursuant to this subsection shall make recommendations to  
12 the corporation board regarding program participation under  
13 this subsection. The corporation board shall make the final  
14 ranking for participation based on the scores received in the  
15 ranking, further review of the applications, and the  
16 recommendations of the review committee. The corporation board  
17 shall approve or reject applicants for loans and shall  
18 determine the tentative loan amount available to each program  
19 participant. The final loan amount shall be determined  
20 pursuant to rule adopted under s. 420.507(24)~~(23)~~(h).

21           (4) During the first 9 months of fund availability:

22           (a) Sixty percent of the program funds shall be  
23 reserved for use by borrowers pursuant to s.  
24 420.507(24)~~(23)~~(a)1.;

25           (b) Twenty percent of the program funds shall be  
26 reserved for use by borrowers pursuant to s.  
27 420.507(24)~~(23)~~(a)2.; and

28           (c) Twenty percent of the program funds shall be  
29 reserved for use by borrowers pursuant to s.  
30 420.507(24)~~(23)~~(a)3.

31



1 If the application of these percentages would cause the  
2 reservation of program funds under paragraph (a) to be less  
3 than \$1 million, the reservation for paragraph (a) shall be  
4 increased to \$1 million or all available funds, whichever  
5 amount is less, with the increase to be accomplished by  
6 reducing the reservation for paragraph (b) and, if necessary,  
7 paragraph (c).

8           Section 12. The sum of \$10 million is appropriated  
9 from the General Revenue Fund for implementation of the  
10 Florida Rural Heritage Act as follows: \$7,550,000 to the  
11 Department of Community Affairs to fund the Rural Heritage  
12 Grant Program; \$1 million to the Office of Tourism, Trade, and  
13 Economic Development to create a revolving loan fund to  
14 finance the Nature-and-Heritage-Based Tourism Enterprise  
15 Micro-loan Program; \$800,000 to the Department of Agriculture  
16 to implement the agricultural diversification pilot projects;  
17 \$600,000 to the Department of Management Services to implement  
18 the education technology pilot projects; and \$50,000 to the  
19 Rural Economic Development Initiative to fund the update of  
20 the Rural Resource Directory and the provision of technical  
21 assistance required by this act during the 2000-2001 fiscal  
22 year.

23           Section 13. This act shall take effect July 1, 2000.  
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