

By Senator Constantine

9-457A-01

1 A bill to be entitled
2 An act relating to homelessness; creating the
3 State Office of Homeless Affairs within the
4 Department of Children and Family Services;
5 authorizing the Secretary of Children and
6 Family Services to appoint an executive
7 director for the State Office of Homeless
8 Affairs; creating the Homeless Affairs Council;
9 providing for council membership; providing for
10 council members to be reimbursed for travel
11 expenses; prescribing duties and
12 responsibilities of the council; requiring an
13 annual report; amending s. 420.5087, F.S.,
14 relating to the State Apartment Incentive Loan
15 Program; revising the requirements for
16 qualifying to participate in the program;
17 adding the homeless to the list of eligible
18 tenant groups; amending s. 420.609, F.S.,
19 relating to the Affordable Housing Study
20 Commission; requiring the commission to analyze
21 how to address the acute need for housing for
22 the homeless; providing an effective date.

23
24 Be It Enacted by the Legislature of the State of Florida:
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26 Section 1. (1) The State Office of Homeless Affairs
27 is created as a state unit housed for administrative purposes
28 within the Department of Children and Family Services. An
29 executive director of the office shall be appointed by the
30 Governor, with appropriate administrative oversight provided
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1 by the Secretary of Children and Family Services, to provide
2 interagency, council, and other related coordination.

3 (2) The Homeless Affairs Council is created to consist
4 of a 15-member council of public and private agency
5 representatives who shall develop and coordinate policy and
6 advise the State Office of Homeless Affairs. The council
7 members shall be: the Secretary of Children and Family
8 Services, or his or her designee; the Secretary of Community
9 Affairs, or his or her designee; the Secretary of Health, or
10 his or her designee; the Secretary of Veterans' Affairs, or
11 his or her designee; the Secretary of Corrections, or his or
12 her designee; the Director of Workforce Florida, Inc., or his
13 or her designee; one representative of the Florida Coalition
14 for the Homeless; one representative of the Florida Coalition
15 for Supportive Housing; the Executive Director of the Florida
16 Housing Finance Corporation, or his or her designee; one
17 representative of the Florida Affordable Housing Study
18 Commission; one representative of the Florida State Rural
19 Development Council; and four members appointed by the
20 Governor. The council members shall be volunteer, nonpaid
21 persons and shall be reimbursed for travel expenses only. The
22 appointed members of the council shall serve staggered 2-year
23 terms, and the council shall meet at least four times per
24 year.

25 (3) The council shall:

26 (a) Coordinate among state, local, and private
27 agencies and providers to produce a statewide consolidated
28 program and financial plan for the state's entire system of
29 homeless programs which incorporates regionally developed
30 plans.

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1 (b) Collect, maintain, and make available information
2 concerning persons who are homeless or at-risk for
3 homelessness, including demographics information, current
4 services and resources available, the cost and availability of
5 services and programs, and the met and unmet needs of this
6 population. All entities that receive state funding must
7 provide access to all data they maintain to assist the
8 coalition in providing this information. The Homeless Affairs
9 Council shall explore the potential of creating a statewide
10 Management Information System (MIS), encouraging the future
11 participation of any bodies that are receiving awards or
12 grants from the state, should it be adopted, enacted, and
13 accepted by the state.

14 (c) Annually evaluate state and local services and
15 resources and develop a consolidated plan for addressing the
16 needs of the homeless or those at-risk for homelessness.

17 (d) Explore, compile, and disseminate information
18 regarding public and private funding sources for state and
19 local programs serving the homeless and provide technical
20 assistance in applying for such funding.

21 (e) Monitor and provide recommendations for
22 coordinating the activities and programs of local coalitions
23 for the homeless and promote the effectiveness of programs
24 addressing the needs of the homeless.

25 (f) Provide technical assistance to facilitate efforts
26 to establish, maintain, and expand local homeless assistance
27 continuums of care.

28 (g) Develop and assist in the coordination of policies
29 and procedures relating to the discharge or transfer from the
30 care or custody of state-supported or state-regulated entities
31 persons who are homeless or at-risk for homelessness.

1 (h) Spearhead outreach efforts for maximizing access
2 by people who are homeless or at-risk for homelessness to
3 state and federal programs and resources.

4 (i) Promote a federal policy agenda responsive to the
5 needs of the homeless population in this state.

6 (j) Develop outcome and accountability measures and
7 promote and use such measures to evaluate program
8 effectiveness and make recommendations for improving current
9 practices in order to best meet the needs of the homeless.

10 (k) Formulate policies and legislative proposals to
11 address more effectively the needs of the homeless and
12 coordinate the implementation of state and federal legislative
13 policies.

14 (l) Convene meetings and workshops of state and local
15 agencies, local coalitions and programs, and other
16 stakeholders for the purpose of developing and reviewing
17 policies, services, activities, coordination, and funding of
18 efforts to meet the needs of the homeless.

19 (m) Conduct or promote research on the effectiveness
20 of current programs and propose pilot projects aimed at
21 improving services.

22 (n) Serve as an advocate for issues relating to
23 homelessness.

24 (o) Investigate ways to improve access to
25 participation in state funding and other programs for
26 prevention and alleviation of homelessness to faith-based
27 organizations and collaborate and coordinate with faith-based
28 organizations.

29 (4) The council and the Department of Children and
30 Family Services may contract with private entities for staff
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1 services and the provision of the functions set out in
2 subsection (3).

3 (5) The council shall, by December 31 of each year,
4 issue to the Governor, the President of the Senate, the
5 Speaker of the House of Representatives, and the Secretary of
6 Children and Family Services an evaluation of the executive
7 director's performance in fulfilling the statutory duties of
8 the council and a report summarizing the coalition's
9 activities and making recommendations for reducing
10 homelessness in this state.

11 Section 2. Subsection (3) of section 420.5087, Florida
12 Statutes, is amended to read:

13 420.5087 State Apartment Incentive Loan
14 Program.--There is hereby created the State Apartment
15 Incentive Loan Program for the purpose of providing first,
16 second, or other subordinated mortgage loans or loan
17 guarantees to sponsors, including for-profit, nonprofit, and
18 public entities, to provide housing affordable to
19 very-low-income persons.

20 (3) During the first 6 months of loan or loan
21 guarantee availability, program funds shall be reserved for
22 use by sponsors who provide the housing set-aside required in
23 subsection (2) for ~~tenants in the three~~ tenant groups
24 designated in this subsection. The reservation of funds to
25 each of these groups shall be determined using the most recent
26 statewide very-low-income rental housing market study
27 available at the time of publication of each notice of fund
28 availability required by paragraph (6)(b). The reservation of
29 funds within each notice of fund availability to the ~~three~~
30 tenant groups ~~designated in this subsection~~ may not be less
31 than 10 percent of the funds available at that time. Any

1 increase in funding required to reach the 10-percent minimum
2 shall be taken from the tenant group that has the largest
3 reservation. The ~~three~~ tenant groups are:
4 (a) Commercial fishing workers and farmworkers;
5 (b) Families; ~~and~~
6 (c) Persons who are homeless; and
7 (d)(c)1. Elderly persons.
8 ~~2.~~ 2. Ten percent of the amount reserved for the elderly
9 ~~pursuant to subparagraph 1.~~ shall be reserved to provide loans
10 to sponsors of housing for the elderly, ~~as defined in s.~~
11 ~~420.503,~~ for the purpose of making building preservation,
12 health, or sanitation repairs or improvements which are
13 required by federal, state, or local regulation or code, or
14 lifesafety or security-related repairs or improvements to such
15 housing. Such a loan ~~for a lifesafety, building preservation,~~
16 ~~health, sanitation, or security-related repair or improvement~~
17 may not exceed \$200,000 per housing community for the elderly.
18 In order to receive the loan, the sponsor of the housing
19 community ~~for the elderly~~ must make a commitment to match at
20 least 15 percent of the loan amount to pay the cost of such
21 repair or improvement. The corporation shall establish the
22 rate of interest on the loan, which may not exceed 3 percent,
23 and the term of the loan, which may not exceed 15 years. The
24 term of the loan shall be established on the basis of a credit
25 analysis of the applicant. The corporation shall establish, by
26 rule, the procedure and criteria for receiving, evaluating,
27 and competitively ranking all applications for loans under
28 this paragraph ~~subparagraph~~. A loan application must include
29 evidence of the first mortgagee's having reviewed and approved
30 the sponsor's intent to apply for a loan. A nonprofit
31 organization or sponsor may not use the proceeds of the ~~a~~ loan

1 ~~received pursuant to this subparagraph~~ to pay for
2 administrative costs, routine maintenance, or new
3 construction.

4 Section 3. Subsection (4) of section 420.609, Florida
5 Statutes, is amended to read:

6 420.609 Affordable Housing Study Commission.--Because
7 the Legislature firmly supports affordable housing in Florida
8 for all economic classes:

9 (4) The commission shall analyze those solutions and
10 programs which could begin to address the state's acute need
11 for housing for the homeless; for very-low-income, low-income,
12 and moderate-income persons; and for elderly persons,
13 including programs or proposals which provide for:

14 (a) Offering ~~of~~ low-interest and zero-interest loans
15 for the development or rehabilitation of housing;

16 (b) Use of publicly owned lands and buildings as
17 affordable housing sites;

18 (c) Coordination with federal initiatives, including
19 development of an approved housing strategy;

20 (d) Streamlining ~~of~~ the various state, regional, and
21 local regulations, and housing and building codes governing
22 the housing industry;

23 (e) Stimulation of public and private cooperative
24 housing efforts;

25 (f) Implementation or expansion of the programs
26 authorized in this chapter;

27 (g) Discovery and assessment of ~~sources of~~ funding
28 sources for low-cost housing construction and rehabilitation;
29 and

30 (h) Development of such other solutions and programs
31 as the commission deems appropriate.

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In performing its analysis, the commission shall consider both homeownership and rental housing as viable options for the provision of housing. The commission shall also give consideration to various types of residential construction, including but not limited to, manufactured housing.

Section 4. This act shall take effect July 1, 2001.

SENATE SUMMARY

Creates the State Office of Homeless Affairs within the Department of Children and Family Services. Authorizes the Secretary of Children and Family Services to appoint an executive director for the State Office of Homeless Affairs. Creates the Homeless Affairs Council. Provides for council membership, reimbursement for travel expenses, and duties and responsibilities. Requires the council to submit an annual report to the Governor, the Legislature, and the Secretary of Children and Family Services. Adds the homeless to the list of tenant groups that are eligible for the State Apartment Incentive Loan Program. Requires the Affordable Housing Study Commission to analyze how to address the acute need for housing for the homeless.