

CHAMBER ACTION

1 The Committee on Local Government & Veterans' Affairs recommends
2 the following:

3
4 **Committee Substitute**

5 Remove the entire bill and insert:

6 A bill to be entitled

7 An act relating to affordable housing; providing a popular
8 name; creating s. 193.017, F.S.; providing for a low-
9 income housing tax credit for certain property used for
10 affordable housing; providing criteria, restrictions, and
11 limitations; amending s. 212.08, F.S.; requiring the
12 Office of Tourism, Trade, and Economic Development to
13 reserve portions of certain annual tax credits for
14 eligible sponsors of certain low-income housing projects;
15 providing requirements, criteria, and limitations;
16 extending an expiration date; amending s. 220.03, F.S.;
17 revising a definition to delete a provision authorizing
18 the office to reserve certain portions of available annual
19 tax credits for certain low-income housing purposes;
20 extending an expiration date; amending s. 220.183, F.S.;
21 increasing the amount of available annual community
22 contribution tax credits; revising eligibility criteria;
23 requiring the Office of Tourism, Trade, and Economic

24 Development to reserve portions of certain annual tax
25 credits for eligible sponsors of certain low-income
26 housing projects; providing requirements, criteria, and
27 limitations; extending an expiration date; amending s.
28 253.034, F.S.; including affordable housing under
29 provisions governing permissible uses of certain surplus
30 state-owned lands; amending s. 420.0003, F.S.; providing
31 additional criteria for the affordable housing delivery
32 system under the state housing strategy; amending s.
33 420.507, F.S.; revising powers of the Florida Housing
34 Finance Corporation to provide additional criteria and
35 requirements for certain housing projects; providing
36 additional powers to promote single family homeownership,
37 implement a program to provide financial assistance toward
38 purchasing a home, establish a program of incentives to
39 defer, reduce, or waive impact fees for certain persons
40 for certain purposes, and establish requirements for
41 reporting certain information relating to programs of the
42 corporation; amending s. 420.508, F.S.; providing the
43 corporation with special powers to provide for master
44 lease agreements for farmworker housing developments for
45 certain purposes; amending s. 420.5087, F.S.; increasing a
46 cap for loans per housing community for the elderly;
47 revising a criterion for state apartment incentive loans;
48 amending s. 420.511, F.S.; providing additional
49 requirements for an annual report by the corporation;
50 amending s. 420.5092, F.S.; requiring the corporation to
51 provide an annual assessment report of the Florida

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52 Affordable Housing Guarantee Program; amending s. 420.517,
53 F.S.; requiring the corporation to coordinate the
54 provision of affordable housing and support services for
55 low-income residents; providing for state and regional
56 partnerships for such purposes; providing reporting
57 requirements; amending s. 420.9072, F.S.; providing
58 additional legislative intent relating to local government
59 affordable housing advisory committees; amending s.
60 420.9075, F.S.; prohibiting local governments from setting
61 maximum sales prices below certain amounts; providing a
62 limitation; amending s. 420.9076, F.S.; providing for a
63 minimum number of affordable housing advisory committee
64 members; providing a criterion for additional members;
65 requiring counties and municipalities participating in the
66 State Housing Initiative Partnership Program to maintain
67 an operational advisory committee; providing additional
68 recommendation requirements for such advisory committees;
69 amending s. 421.02, F.S.; revising a legislative
70 declaration relating to blighted areas; amending s.
71 421.08, F.S.; authorizing certain housing authorities to
72 create business entities for certain purposes; providing
73 requirements and limitations; authorizing such authorities
74 to provide for per diem, travel, and other expenses;
75 amending s. 421.09, F.S.; providing construction; amending
76 s. 421.23, F.S.; revising a limitation on financial
77 liabilities of such authorities; amending s. 624.5105,
78 F.S.; increasing the amount of available annual community
79 contribution tax credits; revising eligibility criteria;

80 requiring the Office of Tourism, Trade, and Economic
 81 Development to reserve portions of certain annual tax
 82 credits for eligible sponsors of certain low-income
 83 housing projects; providing requirements, criteria, and
 84 limitations; extending an expiration date; repealing s.
 85 421.54, F.S., relating to housing authorities in Orange
 86 County and Seminole County; providing appropriations;
 87 providing an effective date.

88
 89 Be It Enacted by the Legislature of the State of Florida:

90
 91 Section 1. This act may be referred to by the popular name
 92 the "Florida Homeownership Act of 2004."

93 Section 2. Section 193.017, Florida Statutes, is created
 94 to read:

95 193.017 Low-income housing tax credit.--Property used for
 96 affordable housing which has received a low-income housing tax
 97 credit from the Florida Housing Finance Corporation, as
 98 authorized by s. 420.5099, shall be assessed under s. 193.011
 99 and consistent with s. 420.5099(5) and (6), pursuant to this
 100 section.

101 (1) The tax credits and the financing generated by the
 102 tax credits may not be considered as income to the property.

103 (2) The actual rental income from rent-restricted units
 104 in such a property shall be recognized by the property
 105 appraiser.

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106 (3) Any costs paid for by tax credits and costs paid for
 107 by additional financing proceeds received under chapter 420 may
 108 not be included in the valuation of the property.

109 (4) If an extended low-income housing agreement is filed
 110 in the official public records of the county in which the
 111 property is located, the agreement and any recorded amendment
 112 or supplement thereto shall be considered a land use regulation
 113 and a limitation on the highest and best use of the property
 114 during the term of the agreement, amendment, or supplement.

115 Section 3. Paragraph (q) of subsection (5) of section
 116 212.08, Florida Statutes, is amended to read:

117 212.08 Sales, rental, use, consumption, distribution, and
 118 storage tax; specified exemptions.--The sale at retail, the
 119 rental, the use, the consumption, the distribution, and the
 120 storage to be used or consumed in this state of the following
 121 are hereby specifically exempt from the tax imposed by this
 122 chapter.

123 (5) EXEMPTIONS; ACCOUNT OF USE.--

124 (q) *Community contribution tax credit for donations.*--

125 1. Authorization.--Beginning July 1, 2001, persons who are
 126 registered with the department under s. 212.18 to collect or
 127 remit sales or use tax and who make donations to eligible
 128 sponsors are eligible for tax credits against their state sales
 129 and use tax liabilities as provided in this paragraph:

130 a. The credit shall be computed as 50 percent of the
 131 person's approved annual community contribution;

132 b. The credit shall be granted as a refund against state
 133 sales and use taxes reported on returns and remitted in the 12

134 months preceding the date of application to the department for
 135 the credit as required in sub-subparagraph 3.c. If the annual
 136 credit is not fully used through such refund because of
 137 insufficient tax payments during the applicable 12-month period,
 138 the unused amount may be included in an application for a refund
 139 made pursuant to sub-subparagraph 3.c. in subsequent years
 140 against the total tax payments made for such year. Carryover
 141 credits may be applied for a 3-year period without regard to any
 142 time limitation that would otherwise apply under s. 215.26;

143 c. No person shall receive more than \$200,000 in annual
 144 tax credits for all approved community contributions made in any
 145 one year;

146 d. All proposals for the granting of the tax credit shall
 147 require the prior approval of the Office of Tourism, Trade, and
 148 Economic Development;

149 e. The total amount of tax credits which may be granted
 150 for all programs approved under this paragraph, s. 220.183, and
 151 s. 624.5105 is \$20 ~~\$10~~ million annually; and

152 f. A person who is eligible to receive the credit provided
 153 for in this paragraph, s. 220.183, or s. 624.5105 may receive
 154 the credit only under the one section of the person's choice.

155 2. Eligibility requirements.--

156 a. A community contribution by a person must be in the
 157 following form:

- 158 (I) Cash or other liquid assets;
- 159 (II) Real property;
- 160 (III) Goods or inventory; or

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161 (IV) Other physical resources as identified by the Office
162 of Tourism, Trade, and Economic Development.

163 b. All community contributions must be reserved
164 exclusively for use in a project. As used in this sub-
165 subparagraph, the term "project" means any activity undertaken
166 by an eligible sponsor which is designed to construct, improve,
167 or substantially rehabilitate housing that is affordable to low-
168 income or very-low-income households as defined in s.
169 420.9071(19) and (28); designed to provide commercial,
170 industrial, or public resources and facilities; or designed to
171 improve entrepreneurial and job-development opportunities for
172 low-income persons. A project may be the investment necessary to
173 increase access to high-speed broadband capability in rural
174 communities with enterprise zones, including projects that
175 result in improvements to communications assets that are owned
176 by a business. A project may include the provision of museum
177 educational programs and materials that are directly related to
178 any project approved between January 1, 1996, and December 31,
179 1999, and located in an enterprise zone as referenced in s.
180 290.00675. This paragraph does not preclude projects that
181 propose to construct or rehabilitate housing for low-income or
182 very-low-income households on scattered sites. ~~The Office of~~
183 ~~Tourism, Trade, and Economic Development may reserve up to 50~~
184 ~~percent of the available annual tax credits for housing for~~
185 ~~very low income households pursuant to s. 420.9071(28) for the~~
186 ~~first 6 months of the fiscal year.~~ With respect to housing,
187 contributions may be used to pay the following eligible low-
188 income and very-low-income housing-related activities:

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- 189 (I) Project development impact and management fees for
 190 low-income or very-low-income housing projects;
- 191 (II) Down payment and closing costs for eligible persons,
 192 as defined in s. 420.9071(19) and (28);
- 193 (III) Administrative costs, including housing counseling
 194 and marketing fees, not to exceed 10 percent of the community
 195 contribution, directly related to low-income or very-low-income
 196 projects; and
- 197 (IV) Removal of liens recorded against residential
 198 property by municipal, county, or special district local
 199 governments when satisfaction of the lien is a necessary
 200 precedent to the transfer of the property to an eligible person,
 201 as defined in s. 420.9071(19) and (28), for the purpose of
 202 promoting home ownership. Contributions for lien removal must be
 203 received from a nonrelated third party.
- 204 c. The project must be undertaken by an "eligible
 205 sponsor," which includes:
- 206 (I) A community action program;
- 207 (II) A nonprofit community-based development organization
 208 whose mission is the provision of housing for low-income or
 209 very-low-income households or increasing entrepreneurial and
 210 job-development opportunities for low-income persons;
- 211 (III) A neighborhood housing services corporation;
- 212 (IV) A local housing authority created under chapter 421;
- 213 (V) A community redevelopment agency created under s.
 214 163.356;
- 215 (VI) The Florida Industrial Development Corporation;

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- 216 (VII) A historic preservation district agency or
- 217 organization;
- 218 (VIII) A regional workforce board;
- 219 (IX) A direct-support organization as provided in s.
- 220 1009.983;
- 221 (X) An enterprise zone development agency created under s.
- 222 290.0056;
- 223 (XI) A community-based organization incorporated under
- 224 chapter 617 which is recognized as educational, charitable, or
- 225 scientific pursuant to s. 501(c)(3) of the Internal Revenue Code
- 226 and whose bylaws and articles of incorporation include
- 227 affordable housing, economic development, or community
- 228 development as the primary mission of the corporation;
- 229 (XII) Units of local government;
- 230 (XIII) Units of state government; or
- 231 (XIV) Any other agency that the Office of Tourism, Trade,
- 232 and Economic Development designates by rule.

233

234 In no event may a contributing person have a financial interest

235 in the eligible sponsor.

236 d. The project must be located in an area designated an

237 enterprise zone or a Front Porch Florida Community pursuant to

238 s. 14.2015(9)(b), unless the project increases access to high-

239 speed broadband capability for rural communities with enterprise

240 zones but is physically located outside the designated rural

241 zone boundaries. Any project designed to construct or

242 rehabilitate housing for low-income or very-low-income

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243 households as defined in s. 420.0971(19) and (28) is exempt from
244 the area requirement of this sub-subparagraph.

245 e.(I) The Office of Tourism, Trade, and Economic
246 Development shall reserve 80 percent of the available annual
247 tax credits for donations made to eligible sponsors for
248 projects that provide homeownership opportunities to low-income
249 or very-low-income households pursuant to s. 420.9071(19) and
250 (28) for the first 2 months of the fiscal year. If less than 80
251 percent of the annual tax credits for donations made to
252 eligible sponsors for projects for low-income or very-low-
253 income households are approved within the first 2 months of the
254 fiscal year, the office may approve the balance of available
255 credits for donations made to eligible sponsors for projects
256 other than those that provide homeownership opportunities for
257 low-income or very-low-income households.

258 (II) The office shall reserve 20 percent of the available
259 annual tax credits for donations made to eligible sponsors for
260 projects other than those that provide homeownership
261 opportunities for low-income or very-low-income households
262 pursuant to s. 420.9071(19) and (28) for the first 2 months of
263 the fiscal year. If less than 20 percent of the annual tax
264 credits for donations made to eligible sponsors for projects
265 other than those that provide homeownership opportunities for
266 low-income or very-low-income households are approved within
267 the first 2 months of the fiscal year, the office may approve
268 the balance of available credits for donations made to eligible
269 sponsors for projects that provide homeownership opportunities
270 for low-income or very-low-income households.

271 (III) If, during the first 10 business days of the state
 272 fiscal year, tax credit applications are received for more than
 273 80 percent of available annual tax credits from eligible
 274 sponsors for projects that provide homeownership opportunities
 275 for low-income or very-low-income households, the office shall
 276 grant the tax credits for such applications as follows:

277 (A) If an eligible sponsor submits tax credit
 278 applications which in total do not exceed \$200,000, the credits
 279 shall be granted in full if the tax credit applications are
 280 approved and subject to the provisions of sub-sub-subparagraph
 281 (I).

282 (B) If an eligible sponsor submits tax credit
 283 applications which, in total, equal or exceed \$200,000, the
 284 amount of tax credit granted pursuant to sub-sub-sub-
 285 subparagraph (A) shall be subtracted from the amount of
 286 available tax credits pursuant to sub-sub-subparagraph (I), and
 287 the remaining credits shall be granted to each approved tax
 288 credit application on a pro rata basis.

289 (C) If, after the first 2 months of the fiscal year,
 290 additional credits become available pursuant to sub-sub-
 291 subparagraph (II), the office shall grant the tax credits by
 292 first increasing the credit of those who received a pro rata
 293 reduction and, if there are remaining credits, granting credits
 294 to those who applied on or after the 11th business day of the
 295 state fiscal year on a first-come, first-served basis.

296 (IV) If, during the first 10 business days of the state
 297 fiscal year, tax credit applications are received for more than
 298 20 percent of available annual tax credits from eligible

299 sponsors for projects other than those that provide
 300 homeownership opportunities for low-income or very-low-income
 301 households, the office shall grant the tax credits to each
 302 approved tax credit application on a pro rata basis. If, after
 303 the first 2 months of the fiscal year, additional credits
 304 become available pursuant to sub-sub-subparagraph (I), the
 305 office shall grant the tax credits by first increasing the
 306 credit of those who received a pro rata reduction and, if there
 307 are remaining credits, granting credits to those who applied on
 308 or after the 11th business day of the state fiscal year on a
 309 first-come, first-served basis.

310 3. Application requirements.--

311 a. Any eligible sponsor seeking to participate in this
 312 program must submit a proposal to the Office of Tourism, Trade,
 313 and Economic Development which sets forth the name of the
 314 sponsor, a description of the project, and the area in which the
 315 project is located, together with such supporting information as
 316 is prescribed by rule. The proposal must also contain a
 317 resolution from the local governmental unit in which the project
 318 is located certifying that the project is consistent with local
 319 plans and regulations.

320 b. Any person seeking to participate in this program must
 321 submit an application for tax credit to the Office of Tourism,
 322 Trade, and Economic Development which sets forth the name of the
 323 sponsor, a description of the project, and the type, value, and
 324 purpose of the contribution. The sponsor shall verify the terms
 325 of the application and indicate its receipt of the contribution,
 326 which verification must be in writing and accompany the

327 application for tax credit. The person must submit a separate
 328 tax credit application to the office for each individual
 329 contribution that it makes to each individual project.

330 c. Any person who has received notification from the
 331 Office of Tourism, Trade, and Economic Development that a tax
 332 credit has been approved must apply to the department to receive
 333 the refund. Application must be made on the form prescribed for
 334 claiming refunds of sales and use taxes and be accompanied by a
 335 copy of the notification. A person may submit only one
 336 application for refund to the department within any 12-month
 337 period.

338 4. Administration.--

339 a. The Office of Tourism, Trade, and Economic Development
 340 may adopt rules pursuant to ss. 120.536(1) and 120.54 necessary
 341 to administer this paragraph, including rules for the approval
 342 or disapproval of proposals by a person.

343 b. The decision of the Office of Tourism, Trade, and
 344 Economic Development must be in writing, and, if approved, the
 345 notification shall state the maximum credit allowable to the
 346 person. Upon approval, the office shall transmit a copy of the
 347 decision to the Department of Revenue.

348 c. The Office of Tourism, Trade, and Economic Development
 349 shall periodically monitor all projects in a manner consistent
 350 with available resources to ensure that resources are used in
 351 accordance with this paragraph; however, each project must be
 352 reviewed at least once every 2 years.

353 d. The Office of Tourism, Trade, and Economic Development
 354 shall, in consultation with the Department of Community Affairs,

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355 | the Florida Housing Finance Corporation, and the statewide and
 356 | regional housing and financial intermediaries, market the
 357 | availability of the community contribution tax credit program to
 358 | community-based organizations.

359 | 5. Expiration.--This paragraph expires June 30, 2015 ~~2005~~;
 360 | however, any accrued credit carryover that is unused on that
 361 | date may be used until the expiration of the 3-year carryover
 362 | period for such credit.

363 | Section 4. Paragraph (t) of subsection (1) of section
 364 | 220.03, Florida Statutes, is amended to read:

365 | 220.03 Definitions.--

366 | (1) SPECIFIC TERMS.--When used in this code, and when not
 367 | otherwise distinctly expressed or manifestly incompatible with
 368 | the intent thereof, the following terms shall have the following
 369 | meanings:

370 | (t) "Project" means any activity undertaken by an eligible
 371 | sponsor, as defined in s. 220.183(2)(c), which is designed to
 372 | construct, improve, or substantially rehabilitate housing that
 373 | is affordable to low-income or very-low-income households as
 374 | defined in s. 420.9071(19) and (28); designed to provide
 375 | commercial, industrial, or public resources and facilities; or
 376 | designed to improve entrepreneurial and job-development
 377 | opportunities for low-income persons. A project may be the
 378 | investment necessary to increase access to high-speed broadband
 379 | capability in rural communities with enterprise zones, including
 380 | projects that result in improvements to communications assets
 381 | that are owned by a business. A project may include the
 382 | provision of museum educational programs and materials that are

383 directly related to any project approved between January 1,
 384 1996, and December 31, 1999, and located in an enterprise zone
 385 as referenced in s. 290.00675. This paragraph does not preclude
 386 projects that propose to construct or rehabilitate low-income or
 387 very-low-income housing on scattered sites. ~~The Office of~~
 388 ~~Tourism, Trade, and Economic Development may reserve up to 50~~
 389 ~~percent of the available annual tax credits under s. 220.181 for~~
 390 ~~housing for very-low-income households pursuant to s.~~
 391 ~~420.9071(28) for the first 6 months of the fiscal year.~~ With
 392 respect to housing, contributions may be used to pay the
 393 following eligible project-related activities:

- 394 1. Project development, impact, and management fees for
 395 low-income or very-low-income housing projects;
- 396 2. Down payment and closing costs for eligible persons, as
 397 defined in s. 420.9071(19) and (28);
- 398 3. Administrative costs, including housing counseling and
 399 marketing fees, not to exceed 10 percent of the community
 400 contribution, directly related to low-income or very-low-income
 401 projects; and
- 402 4. Removal of liens recorded against residential property
 403 by municipal, county, or special-district local governments when
 404 satisfaction of the lien is a necessary precedent to the
 405 transfer of the property to an eligible person, as defined in s.
 406 420.9071(19) and (28), for the purpose of promoting home
 407 ownership. Contributions for lien removal must be received from
 408 a nonrelated third party.

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410 The provisions of this paragraph shall expire and be void on
411 June 30, 2015 ~~2005~~.

412 Section 5. Paragraph (c) of subsection (1), paragraph (b)
413 of subsection (2), and subsection (5) of section 220.183,
414 Florida Statutes, are amended to read:

415 220.183 Community contribution tax credit.--

416 (1) AUTHORIZATION TO GRANT COMMUNITY CONTRIBUTION TAX
417 CREDITS; LIMITATIONS ON INDIVIDUAL CREDITS AND PROGRAM
418 SPENDING.--

419 (c) The total amount of tax credit which may be granted
420 for all programs approved under this section, s. 212.08(5)(g),
421 and s. 624.5105 is \$20 ~~\$10~~ million annually.

422 (2) ELIGIBILITY REQUIREMENTS.--

423 (b)1. All community contributions must be reserved
424 exclusively for use in projects as defined in s. 220.03(1)(t).

425 2. The Office of Tourism, Trade, and Economic Development
426 shall may reserve 80 up to 50 percent of the available annual
427 tax credits for housing for donations made to eligible sponsors
428 for projects that provide homeownership opportunities for low-
429 income or very-low-income households pursuant to s. 420.9071(19)
430 and (28) for the first 2 6 months of the fiscal year. If less
431 than 80 percent of the annual tax credits for donations made to
432 eligible sponsors for projects for low-income or very-low-income
433 households are approved within the first 2 months of the fiscal
434 year, the office may approve the balance of available credits
435 for donations made to eligible sponsors for projects other than
436 those that provide homeownership opportunities for low-income or
437 very-low-income households.

438 3. The office shall reserve 20 percent of the available
439 annual tax credits for donations made to eligible sponsors for
440 projects other than those that provide homeownership
441 opportunities for low-income or very-low-income households
442 pursuant to s. 420.9071(19) and (28) for the first 2 months of
443 the fiscal year. If less than 20 percent of the annual tax
444 credits for donations made to eligible sponsors for projects
445 other than those that provide homeownership opportunities for
446 low-income or very-low-income households are approved within
447 the first 2 months of the fiscal year, the office may approve
448 the balance of available credits for donations made to eligible
449 sponsors for projects that provide homeownership opportunities
450 for low-income or very-low-income households.

451 4. If, during the first 10 business days of the state
452 fiscal year, tax credit applications are received for more than
453 80 percent of available annual tax credits from eligible
454 sponsors for projects that provide homeownership opportunities
455 for low-income or very-low-income households, the office shall
456 grant the tax credits to such applications as follows:

457 a. If an eligible sponsor submits tax credit applications
458 which in total do not exceed \$200,000, the credits shall be
459 granted in full if the tax credit applications are approved and
460 subject to the provisions of subparagraph 2.

461 b. If an eligible sponsor submits tax credit applications
462 which in total equal or exceed \$200,000, the amount of tax
463 credits granted pursuant to sub-subparagraph a. shall be
464 subtracted from the amount of available tax credits pursuant to

465 subparagraph 2., and the remaining credits shall be granted to
 466 each approved tax credit application on a pro rata basis.

467 c. If, after the first 2 months of the fiscal year,
 468 additional credits become available pursuant to subparagraph
 469 3., the office shall grant the tax credits by first increasing
 470 the credit of those who received a pro rata reduction and, if
 471 there are remaining credits, granting credits to those who
 472 applied on or after the 11th business day of the state fiscal
 473 year on a first-come, first-served basis.

474 5. If, during the first 10 business days of the state
 475 fiscal year, tax credit applications are received for more than
 476 20 percent of available annual tax credits from eligible
 477 sponsors for projects other than those that provide
 478 homeownership opportunities for low-income or very-low-income
 479 households, the office shall grant the tax credits to each
 480 approved tax credit application on a pro rata basis. If, after
 481 the first 2 months of the fiscal year, additional credits
 482 become available pursuant to subparagraph 2., the office shall
 483 grant the tax credits by first increasing the credit of those
 484 who received a pro rata reduction and, if there are remaining
 485 credits, granting credits to those who applied on or after the
 486 11th business day of the state fiscal year on a first-come,
 487 first-served basis.

488 (5) EXPIRATION.--The provisions of this section, except
 489 paragraph (1)(e), shall expire and be void on June 30, 2015
 490 ~~2005~~.

491 Section 6. Paragraph (f) of subsection (6) of section
 492 253.034, Florida Statutes, is amended to read:

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493 | 253.034 State-owned lands; uses.--

494 | (6) The Board of Trustees of the Internal Improvement
495 | Trust Fund shall determine which lands, the title to which is
496 | vested in the board, may be surplused. For conservation lands,
497 | the board shall make a determination that the lands are no
498 | longer needed for conservation purposes and may dispose of them
499 | by an affirmative vote of at least three members. In the case of
500 | a land exchange involving the disposition of conservation lands,
501 | the board must determine by an affirmative vote of at least
502 | three members that the exchange will result in a net positive
503 | conservation benefit. For all other lands, the board shall make
504 | a determination that the lands are no longer needed and may
505 | dispose of them by an affirmative vote of at least three
506 | members.

507 | (f) In reviewing lands owned by the board, the council
508 | shall consider whether such lands would be more appropriately
509 | owned or managed by the county or other unit of local government
510 | in which the land is located. The council shall recommend to the
511 | board whether a sale, lease, or other conveyance to a local
512 | government would be in the best interests of the state and local
513 | government. The provisions of this paragraph in no way limit the
514 | provisions of ss. 253.111 and 253.115. Such lands shall be
515 | offered to the state, county, or local government for a period
516 | of 30 days. Permittable uses for such surplus lands may include
517 | public schools; public libraries; fire or law enforcement
518 | substations; ~~and~~ governmental, judicial, or recreational
519 | centers; and affordable housing. County or local government
520 | requests for surplus lands shall be expedited throughout the

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521 | surplus process. If the county or local government does not
 522 | elect to purchase such lands in accordance with s. 253.111, then
 523 | any surplus determination involving other governmental
 524 | agencies shall be made upon the board deciding the best public
 525 | use of the lands. Surplus properties in which governmental
 526 | agencies have expressed no interest shall then be available for
 527 | sale on the private market.

528 | Section 7. Subsection (5) is added to section 420.0003,
 529 | Florida Statutes, to read:

530 | 420.0003 State housing strategy.--

531 | (5) HOUSING OPTIONS.--The affordable housing delivery
 532 | system shall provide for a variety of housing options as
 533 | appropriate, including, but not limited to, single family and
 534 | multifamily housing built according to chapter 553, manufactured
 535 | housing as defined in s. 320.01(2)(b), and housing coordinated
 536 | with services for special needs populations.

537 | Section 8. Subsection (2) and paragraph (a) of subsection
 538 | (22) of section 420.507, Florida Statutes, are amended,
 539 | paragraph (h) is added to subsection (22) of said section, and
 540 | subsections (42), (43), (44), and (45) are added to said
 541 | section, to read:

542 | 420.507 Powers of the corporation.--The corporation shall
 543 | have all the powers necessary or convenient to carry out and
 544 | effectuate the purposes and provisions of this part, including
 545 | the following powers which are in addition to all other powers
 546 | granted by other provisions of this part:

547 | (2) To undertake and carry out studies and analyses of
 548 | housing needs within the state and ways of meeting those needs,

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549 to determine whether supplies of affordable housing in various
 550 markets may exceed future demands, and to develop methods of
 551 assessing and assisting in the viability of properties adversely
 552 affected by overbuilt markets.

553 (22) To develop and administer the State Apartment
 554 Incentive Loan Program. In developing and administering that
 555 program, the corporation may:

556 (a) Make first, second, and other subordinated mortgage
 557 loans including variable or fixed rate loans subject to
 558 contingent interest for all State Apartment Incentive Loans
 559 provided for in this chapter based upon available cash flow of
 560 the projects. The corporation shall make loans exceeding 25
 561 percent of project cost available only to nonprofit
 562 organizations and public bodies which are able to secure grants,
 563 donations of land, or contributions from other sources and to
 564 projects meeting the criteria of subparagraph 1. Mortgage loans
 565 shall be made available at the following rates of interest:

566 1. Zero to 3 percent interest for sponsors of projects
 567 that set aside at least ~~maintain an~~ 80 percent ~~occupancy~~
 568 their total units for residents qualifying as farmworkers as
 569 defined in s. 420.503(18), or commercial fishing workers as
 570 defined in s. 420.503(5), ~~or the homeless as defined in s.~~
 571 ~~420.621(4)~~ over the life of the loan.

572 2. Zero to 3 percent interest for projects that set aside
 573 at least 80 percent of the project's total units for the
 574 homeless as defined in s. 420.621(4), provided the board may set
 575 the interest rate based on the pro rata share of units set aside

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576 for homeless residents if the total of such units is less than
577 80 percent of the units in the borrower's project.

578 ~~3.2-~~ Three to 9 percent interest for sponsors of projects
579 targeted at populations other than farmworkers, commercial
580 fishing workers, and the homeless.

581 (h) Establish procedures by rule whereby the corporation
582 may intervene, negotiate terms, or undertake other actions which
583 the corporation deems necessary to avoid default of a program
584 loan. Such procedures must be fiscally responsible and designed
585 to maximize returns to the state.

586 (42) To promote single family homeownership in this state
587 and develop and implement a marketing plan in cooperation with
588 local governments and state and federal agencies that includes
589 strategies such as advertising, homebuyer fairs, and homebuyer
590 education.

591 (43) To provide by rule for a program, not to exceed
592 \$5,000 per home, to match the amount of rents set aside under
593 resident programs that are managed by affordable housing
594 providers participating in the corporation's rental programs to
595 provide financial assistance toward the purchase of a home.

596 (44) To establish by rule a program of incentives for
597 local governments which defer, reduce, or waive impact fees for
598 homes constructed for or sold to persons who qualify for
599 financing under an affordable homeownership program provided by
600 the state or a local government. The incentives must not exceed
601 40 percent of any waiver or 20 percent of any deferral and are
602 limited to \$4,000 per home.

603 (45) To establish by rule requirements for periodic
 604 reporting of data, including, but not limited to, financial
 605 data, housing market data, detailed economic and physical
 606 occupancy on multifamily projects, and demographic data on all
 607 housing financed through corporation programs.

608 Section 9. Subsection (8) is added to section 420.508,
 609 Florida Statutes, to read:

610 420.508 Special powers; multifamily and single-family
 611 projects.--The corporation shall have the special power to:

612 (8) Provide by rule for master lease agreements for
 613 farmworker housing developments when and where appropriate to
 614 ensure continuity and stability of housing for farmworker
 615 populations.

616 Section 10. Subsection (3) and paragraph (m) of subsection
 617 (6) of section 420.5087, Florida Statutes, are amended to read:

618 420.5087 State Apartment Incentive Loan Program.--There is
 619 hereby created the State Apartment Incentive Loan Program for
 620 the purpose of providing first, second, or other subordinated
 621 mortgage loans or loan guarantees to sponsors, including for-
 622 profit, nonprofit, and public entities, to provide housing
 623 affordable to very-low-income persons.

624 (3) During the first 6 months of loan or loan guarantee
 625 availability, program funds shall be reserved for use by
 626 sponsors who provide the housing set-aside required in
 627 subsection (2) for the tenant groups designated in this
 628 subsection. The reservation of funds to each of these groups
 629 shall be determined using the most recent statewide very-low-
 630 income rental housing market study available at the time of

631 publication of each notice of fund availability required by
 632 paragraph (6)(b). The reservation of funds within each notice of
 633 fund availability to the tenant groups in paragraphs (a), (b),
 634 and (d) may not be less than 10 percent of the funds available
 635 at that time. Any increase in funding required to reach the 10-
 636 percent minimum shall be taken from the tenant group that has
 637 the largest reservation. The reservation of funds within each
 638 notice of fund availability to the tenant group in paragraph (c)
 639 may not be less than 5 percent of the funds available at that
 640 time. The tenant groups are:

- 641 (a) Commercial fishing workers and farmworkers;
- 642 (b) Families;
- 643 (c) Persons who are homeless; and
- 644 (d) Elderly persons. Ten percent of the amount reserved
 645 for the elderly shall be reserved to provide loans to sponsors
 646 of housing for the elderly for the purpose of making building
 647 preservation, health, or sanitation repairs or improvements
 648 which are required by federal, state, or local regulation or
 649 code, or lifesafety or security-related repairs or improvements
 650 to such housing. Such a loan may not exceed \$500,000 ~~\$200,000~~
 651 per housing community for the elderly. In order to receive the
 652 loan, the sponsor of the housing community must make a
 653 commitment to match at least 15 percent of the loan amount to
 654 pay the cost of such repair or improvement. The corporation
 655 shall establish the rate of interest on the loan, which may not
 656 exceed 3 percent, and the term of the loan, which may not exceed
 657 15 years. The term of the loan shall be established on the basis
 658 of a credit analysis of the applicant. The corporation shall

659 | establish, by rule, the procedure and criteria for receiving,
 660 | evaluating, and competitively ranking all applications for loans
 661 | under this paragraph. A loan application must include evidence
 662 | of the first mortgagee's having reviewed and approved the
 663 | sponsor's intent to apply for a loan. A nonprofit organization
 664 | or sponsor may not use the proceeds of the loan to pay for
 665 | administrative costs, routine maintenance, or new construction.

666 | (6) On all state apartment incentive loans, except loans
 667 | made to housing communities for the elderly to provide for
 668 | lifesafety, building preservation, health, sanitation, or
 669 | security-related repairs or improvements, the following
 670 | provisions shall apply:

671 | (m) Sponsors shall ~~annually~~ certify, according to
 672 | requirements provided by the corporation by rule, the adjusted
 673 | gross income of all persons or families qualified under
 674 | subsection (2) at the time of initial occupancy, who are
 675 | residing in a project funded by this program. All persons or
 676 | families qualified under subsection (2) may continue to qualify
 677 | under subsection (2) in a project funded by this program if the
 678 | adjusted gross income of those persons or families at the time
 679 | of annual recertification meets the requirements established in
 680 | s. 142(d)(3)(B) of the Internal Revenue Code of 1986, as
 681 | amended. If the annual recertification of persons or families
 682 | qualifying under subsection (2) results in noncompliance with
 683 | income occupancy requirements, the next available unit must be
 684 | rented to a person or family qualifying under subsection (2) in
 685 | order to ensure continuing compliance of the project.

686 Section 11. Subsection (3) of section 420.511, Florida
687 Statutes, is amended to read:

688 420.511 Business plan; strategic plan; annual report.--

689 (3) The corporation shall submit to the Governor and the
690 presiding officers of each house of the Legislature, within 2
691 months after the end of its fiscal year, a complete and detailed
692 report setting forth:

693 (a) Its operations and accomplishments.+

694 (b) Changes made to the rules of the corporation pursuant
695 to s. 120.54.

696 (c)~~(b)~~ Its receipts and expenditures during its fiscal
697 year in accordance with the categories or classifications
698 established by the corporation for its operating and capital
699 outlay purposes.+

700 (d)~~(e)~~ Its assets and liabilities at the end of its fiscal
701 year and the status of reserve, special, or other funds.+

702 (e)~~(d)~~ A schedule of its bonds outstanding at the end of
703 its fiscal year, together with a statement of the principal
704 amounts of bonds issued and redeemed during the fiscal year.+
705 and

706 (f)~~(e)~~ Information relating to the corporation's
707 activities in implementing the provisions of ss. 420.5087 and
708 420.5088. The report required by this subsection shall include,
709 but not be limited to:

710 1. The number of people served, delineated by income, age,
711 family size, and racial characteristics.

712 2. The number of units produced under each program.

713 3. The average cost of producing units under each program.

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714 4. The average sales price of single-family units financed
715 under s. 420.5088.

716 5. The average amount of rent charged based on unit size
717 on units financed under s. 420.5087.

718 6. The number of persons in rural communities served under
719 each program.

720 7. The number of farmworkers served under each program.

721 8. The number of homeless persons served under each
722 program.

723 9. The number of elderly persons served under each
724 program.

725 10. The extent to which geographic distribution has been
726 achieved in accordance with the provisions of s. 420.5087.

727 11. The quarterly physical occupancy rate of each
728 multifamily housing project.

729 ~~12.11.~~ Any other information the corporation deems
730 appropriate.

731 (g) Information relating to the corporation's Florida
732 Affordable Housing Guarantee Program as created by s. 420.5092.
733 The report required by this subsection shall include, but not be
734 limited to:

735 1. A status at the end of the most recently completed
736 fiscal year of the total amount of revenue bonds issued by the
737 corporation under s. 420.5092, the principal and interest due on
738 such bonds for the reporting period, the total amount of such
739 bonds redeemed during the reporting period, and the interest
740 earned by the investment of the funds from such revenue bonds
741 during the reporting period.

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742 2. A list of all stabilized properties at the end of the
 743 most recently completed fiscal year guaranteed by the Florida
 744 Affordable Housing Guarantee Program, which includes the city
 745 and county, the total number of units constructed, the quarterly
 746 occupancy rates expressed as percentages for the fiscal year,
 747 the total principal and interest due for the fiscal year, the
 748 principal and interest paid for the fiscal year, and the Florida
 749 Affordable Housing Guarantee Program's total outstanding
 750 obligation at the end of the fiscal year.

751 Section 12. Subsection (12) is added to section 420.5092,
 752 Florida Statutes, to read:

753 420.5092 Florida Affordable Housing Guarantee Program.--

754 (12) By October 1 of each year, the corporation shall
 755 submit to the Governor, the President of the Senate, the Speaker
 756 of the House of Representatives, and the chairs of the
 757 respective appropriations committees an assessment of the
 758 Florida Affordable Housing Guarantee Program. The assessment
 759 shall include an analysis of the likelihood that the guarantee
 760 fund will pay claims during the next 2 fiscal years.

761 Section 13. Section 420.517, Florida Statutes, is amended
 762 to read:

763 420.517 Coordination of affordable housing and support
 764 services for low-income residents ~~job training coordination~~.--

765 (1) The ~~Florida Housing Finance~~ corporation shall
 766 undertake efforts to provide incentives to developers to build
 767 housing that encourages onsite job skills training to enable
 768 low-income residents to obtain and maintain meaningful
 769 employment. To the extent possible, the corporation shall direct

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770 all recipients of state housing funds, including municipalities,
 771 to work in cooperation with local and regional Job Training
 772 Partnerships Boards to provide training to residents and others
 773 who may be making the transition from welfare to the workforce.
 774 The corporation shall provide incentives through housing policy
 775 and program guidelines to prioritize those developments that
 776 encourage workforce training and skills development.

777 (2) The corporation shall coordinate with state and
 778 regional entities, including, but not limited to, the Agency for
 779 Workforce Innovation, the Department of Education, the
 780 Department of Elderly Affairs, the Department of Children and
 781 Family Services, the Department of Veteran's Affairs, the
 782 Department of Corrections, and the Department of Juvenile
 783 Justice, to provide affordable housing tenants and providers
 784 with information about available supportive services, including
 785 education, job training, and health and social services. The
 786 corporation shall also coordinate with state agencies to provide
 787 prospective tenants with assistance in qualifying for affordable
 788 housing.

789 (3) The corporation shall develop state and regional
 790 partnerships to coordinate affordable housing with supportive
 791 services, including, but not limited to, education, job
 792 training, and health and social services, to assist low-income
 793 residents to live in the most independent setting possible.

794 (4) The corporation shall report on its coordination
 795 efforts and accomplishments in the annual report required by s.
 796 420.511(3).

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797 Section 14. Paragraph (a) of subsection (1) of section
798 420.9072, Florida Statutes, is amended to read:

799 420.9072 State Housing Initiatives Partnership
800 Program.--The State Housing Initiatives Partnership Program is
801 created for the purpose of providing funds to counties and
802 eligible municipalities as an incentive for the creation of
803 local housing partnerships, to expand production of and preserve
804 affordable housing, to further the housing element of the local
805 government comprehensive plan specific to affordable housing,
806 and to increase housing-related employment.

807 (1)(a) In addition to the legislative findings set forth
808 in s. 420.6015, the Legislature finds that affordable housing is
809 most effectively provided by combining available public and
810 private resources to conserve and improve existing housing and
811 provide new housing for very-low-income households, low-income
812 households, and moderate-income households. The Legislature
813 intends to encourage partnerships in order to secure the
814 benefits of cooperation by the public and private sectors and to
815 reduce the cost of housing for the target group by effectively
816 combining all available resources and cost-saving measures. The
817 Legislature further intends that local governments achieve this
818 combination of resources by encouraging active partnerships
819 between government, lenders, builders and developers, real
820 estate professionals, advocates for low-income persons, and
821 community groups to produce affordable housing and provide
822 related services. Extending the partnership concept to encompass
823 cooperative efforts among small counties as defined in s.
824 120.52(17), and among counties and municipalities is

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825 specifically encouraged. Local governments are also intended to
 826 establish and retain an affordable housing advisory committee to
 827 recommend monetary and nonmonetary incentives for affordable
 828 housing as provided in s. 420.9076.

829 Section 15. Paragraph (c) of subsection (4) of section
 830 420.9075, Florida Statutes, is amended to read:

831 420.9075 Local housing assistance plans; partnerships.--

832 (4) The following criteria apply to awards made to
 833 eligible sponsors or eligible persons for the purpose of
 834 providing eligible housing:

835 (c) The sales price or value of new or existing eligible
 836 housing may not exceed 90 percent of the average area purchase
 837 price in the statistical area in which the eligible housing is
 838 located as established by the corporation by rule. Local
 839 governments may not set maximum sales prices below the amounts
 840 established by the corporation. If Federal Housing
 841 Administration limits are lower than those established by the
 842 corporation, the Federal Housing Administration limits shall be
 843 the maximum ~~Such average area purchase price may be that~~
 844 ~~calculated for any 12-month period beginning not earlier than~~
 845 ~~the fourth calendar year prior to the year in which the award~~
 846 ~~occurs.~~

847
 848 If both an award under the local housing assistance plan and
 849 federal low-income housing tax credits are used to assist a
 850 project and there is a conflict between the criteria prescribed
 851 in this subsection and the requirements of s. 42 of the Internal
 852 Revenue Code of 1986, as amended, the county or eligible

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853 | municipality may resolve the conflict by giving precedence to
 854 | the requirements of s. 42 of the Internal Revenue Code of 1986,
 855 | as amended, in lieu of following the criteria prescribed in this
 856 | subsection with the exception of paragraphs (a) and (d) of this
 857 | subsection.

858 | Section 16. Subsection (2) of section 420.9076, Florida
 859 | Statutes, is amended, subsections (3) through (7) of said
 860 | section are renumbered as subsections (4) through (8),
 861 | respectively, a new subsection (3) is added to said section, and
 862 | paragraphs (k) and (l) are added to present subsection (4) of
 863 | said section, to read:

864 | 420.9076 Adoption of affordable housing incentive
 865 | strategies; committees.--

866 | (2) The governing board of a county or municipality shall
 867 | appoint the members of the affordable housing advisory committee
 868 | by resolution. Pursuant to the terms of any interlocal
 869 | agreement, a county and municipality may create and jointly
 870 | appoint an advisory committee to prepare a joint plan. The
 871 | ordinance adopted pursuant to s. 420.9072 which creates the
 872 | advisory committee or the resolution appointing the advisory
 873 | committee members must provide for a minimum of nine committee
 874 | members and their terms. The committee must include:

875 | (a) One citizen who is actively engaged in the residential
 876 | home building industry in connection with affordable housing.

877 | (b) One citizen who is actively engaged in the banking or
 878 | mortgage banking industry in connection with affordable housing.

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879 (c) One citizen who is a representative of those areas of
880 labor actively engaged in home building in connection with
881 affordable housing.

882 (d) One citizen who is actively engaged as an advocate for
883 low-income persons in connection with affordable housing.

884 (e) One citizen who is actively engaged as a for-profit
885 provider of affordable housing.

886 (f) One citizen who is actively engaged as a not-for-
887 profit provider of affordable housing.

888 (g) One citizen who is actively engaged as a real estate
889 professional in connection with affordable housing.

890 (h) One citizen who actively serves on the local planning
891 agency pursuant to s. 163.3174.

892 (i) One citizen who resides within the jurisdiction of the
893 local governing body making the appointments.

894
895 Any additional committee members must be citizens within the
896 jurisdiction of the local governing body making the
897 appointments.

898 If a county or eligible municipality whether due to its small
899 size, the presence of a conflict of interest by prospective
900 appointees, or other reasonable factor, is unable to appoint a
901 citizen actively engaged in these activities in connection with
902 affordable housing, a citizen engaged in the activity without
903 regard to affordable housing may be appointed.

904 (3) Each county or eligible municipality participating in
905 the State Housing Initiatives Partnership Program must maintain
906 an operational affordable housing advisory committee.

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907 ~~(5)~~(4) The advisory committee shall review the established
 908 policies and procedures, ordinances, land development
 909 regulations, and adopted local government comprehensive plan of
 910 the appointing local government and shall recommend specific
 911 initiatives to encourage or facilitate affordable housing while
 912 protecting the ability of the property to appreciate in value.
 913 Such recommendations may include the modification or repeal of
 914 existing policies, procedures, ordinances, regulations, or plan
 915 provisions; the creation of exceptions applicable to affordable
 916 housing; or the adoption of new policies, procedures,
 917 regulations, ordinances, or plan provisions. At a minimum, each
 918 advisory committee shall make recommendations on affordable
 919 housing incentives in the following areas:

920 (k) The review of the local affordable housing element of
 921 the local government comprehensive plan pursuant to chapter 163
 922 and the Local Housing Assistance Plan.

923 (l) Actions as liaison between local governing councils
 924 and commissions and the general public.

925
 926 The advisory committee recommendations must also include other
 927 affordable housing incentives identified by the advisory
 928 committee.

929 Section 17. Subsection (2) of section 421.02, Florida
 930 Statutes, is amended to read:

931 421.02 Finding and declaration of necessity.--It is hereby
 932 declared that:

933 (2) Blighted Slum areas in the state cannot be revitalized
 934 ~~cleared~~, nor can the shortage of safe and sanitary dwellings for

935 persons of low income be relieved, through the operation of
 936 private enterprise, ~~and that the construction of housing~~
 937 ~~projects for persons of low income, as herein defined, would~~
 938 ~~therefore not be competitive with private enterprise.~~

939 Section 18. Subsection (8) of section 421.08, Florida
 940 Statutes, is renumbered as subsection (10), and new subsections
 941 (8) and (9) are added to said section, to read:

942 421.08 Powers of authority.--An authority shall constitute
 943 a public body corporate and politic, exercising the public and
 944 essential governmental functions set forth in this chapter, and
 945 having all the powers necessary or convenient to carry out and
 946 effectuate the purpose and provisions of this chapter, including
 947 the following powers in addition to others herein granted:

948 (8) To create for-profit and non-for-profit corporations,
 949 limited liability companies, and such other business entities
 950 pursuant to the laws of this state in which housing authorities
 951 may hold an ownership interest or participate in their
 952 governance to engage in the development, acquisition, leasing,
 953 construction, rehabilitation, management, or operation of
 954 multifamily and single-family residential projects. These
 955 projects may include nonresidential uses and may use public and
 956 private funds to serve individuals or families who meet the
 957 applicable income requirements of the state or federal program
 958 involved, whose income does not exceed 150 percent of the
 959 applicable Area Median Income as established by the United
 960 States Department of Housing and Urban Development, and who, in
 961 the determination of the housing authority, lack sufficient
 962 income or assets to enable them to purchase or rent decent,

963 safe, and sanitary dwelling. These corporations, limited
 964 liability companies, or other business entities are authorized
 965 and empowered to join partnerships, joint ventures, or limited
 966 liability companies or to otherwise engage with business
 967 entities in the development, acquisition, leasing, construction,
 968 rehabilitation, management, or operation of such projects. The
 969 creation of such corporations, limited liability companies, or
 970 other business entities by housing authorities for the purposes
 971 set forth in this chapter together with all proceedings, acts,
 972 and things theretofore undertaken, performed, or done are hereby
 973 validated, ratified, confirmed, approved, and declared legal in
 974 all respects.

975 (9) Notwithstanding the provisions for per diem and travel
 976 expenses of public officers, employees, and authorized persons
 977 set forth in s. 112.061, the governing board of an authority may
 978 approve and implement policies for per diem, travel, and other
 979 expenses of its officials, officers, board members, employees,
 980 and authorized persons in a manner consistent with federal
 981 guidelines.

982 Section 19. Section 421.09, Florida Statutes, is amended
 983 to read:

984 421.09 Operation not for profit.--It is the policy of this
 985 state that each housing authority shall manage and operate its
 986 housing projects in an efficient manner so as to enable it to
 987 fix the rentals for dwelling accommodations at the lowest
 988 possible rates consistent with its providing decent, safe and
 989 sanitary dwelling accommodations, and that no housing authority
 990 shall construct or operate any such project for profit, or as a

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991 source of revenue to the city. To this end an authority shall
 992 fix the rentals for dwellings in its project at no higher rate
 993 than it shall find to be necessary in order to produce revenues
 994 which, together with all other available moneys, revenue, income
 995 and receipts of the authority from whatever sources derived,
 996 will be sufficient:

997 (1) To pay, as the same shall become due, the principal
 998 and interest on the debentures of the authority;

999 (2) To meet the cost of, and to provide for, maintaining
 1000 and operating the projects, including the cost of any insurance,
 1001 and the administrative expenses of the authority; and

1002 (3) To create, during not less than the 6 years
 1003 immediately succeeding its issuance of any debentures, a reserve
 1004 sufficient to meet the largest principal and interest payments
 1005 which will be due on such debentures in any one year thereafter,
 1006 and to maintain such reserve.

1007
 1008 This section shall in no way prohibit or restrict the activities
 1009 or operations of the business entities created pursuant to s.
 1010 421.08(8).

1011 Section 20. Section 421.23, Florida Statutes, is amended
 1012 to read:

1013 421.23 Liabilities of authority.--In no event shall the
 1014 liabilities, whether ex contractu or ex delicto, of an authority
 1015 arising from the operation of its housing projects, be payable
 1016 from any funds other than the rents, fees, or revenues of such
 1017 projects and any grants or subsidies paid to such authority by

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1018 | the Federal Government, unless such other funds are lawfully
 1019 | pledged by the authority's governing board.

1020 | Section 21. Paragraph (c) of subsection (1) and subsection
 1021 | (6) of section 624.5105, Florida Statutes, are amended, and
 1022 | paragraph (e) is added to subsection (2) of said section, to
 1023 | read:

1024 | 624.5105 Community contribution tax credit; authorization;
 1025 | limitations; eligibility and application requirements;
 1026 | administration; definitions; expiration.--

1027 | (1) AUTHORIZATION TO GRANT TAX CREDITS; LIMITATIONS.--

1028 | (c) The total amount of tax credit which may be granted
 1029 | for all programs approved under this section and ss.
 1030 | 212.08(5)(q) and s- 220.183 is \$20 ~~\$10~~ million annually.

1031 | (2) ELIGIBILITY REQUIREMENTS.--

1032 | (e)1. The Office of Tourism, Trade, and Economic
 1033 | Development shall reserve 80 percent of the available annual
 1034 | tax credits for donations made to eligible sponsors for
 1035 | projects that provide homeownership opportunities for low-
 1036 | income or very-low-income households pursuant to s.
 1037 | 420.9071(19) and (28) for the first 2 months of the fiscal
 1038 | year. If less than 80 percent of the annual tax credits for
 1039 | donations made to eligible sponsors for projects that provide
 1040 | homeownership opportunities for low-income or very-low-income
 1041 | households are approved within the first 2 months of the fiscal
 1042 | year, the office may approve the balance of available credits
 1043 | for donations made to eligible sponsors for projects other than
 1044 | those that provide homeownership opportunities for low-income
 1045 | or very-low-income households.

1046 2. The office shall reserve 20 percent of the available
 1047 annual tax credits for donations made to eligible sponsors for
 1048 projects other than those that provide homeownership
 1049 opportunities for low-income or very-low-income households
 1050 pursuant to s. 420.9071(19) and (28) for the first 2 months of
 1051 the fiscal year. If less than 20 percent of the annual tax
 1052 credits for donations made to eligible sponsors for projects
 1053 other than those that provide homeownership opportunities for
 1054 low-income or very-low-income households are approved within
 1055 the first 2 months of the fiscal year, the office may approve
 1056 the balance of available credits for donations made to eligible
 1057 sponsors for projects that provide homeownership opportunities
 1058 for low-income or very-low-income households.

1059 3. If, during the first 10 business days of the state
 1060 fiscal year, tax credit applications are received for more than
 1061 80 percent of available annual tax credits from eligible
 1062 sponsors for projects that provide homeownership opportunities
 1063 for low-income or very-low-income households, the office shall
 1064 grant the tax credits to such applications as follows:

1065 a. If an eligible sponsor submits tax credit applications
 1066 which in total do not exceed \$200,000, the credits shall be
 1067 granted in full if the tax credit applications are approved and
 1068 subject to the provisions of subparagraph 1.

1069 b. If an eligible sponsor submits tax credit applications
 1070 which in total equal or exceed \$200,000, the amount of tax
 1071 credits granted pursuant to sub-subparagraph a. shall be
 1072 subtracted from the amount of available tax credits pursuant to

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1073 subparagraph 1., and the remaining credits shall be granted to
 1074 each approved tax credit application on a pro rata basis.

1075 c. If, after the first 2 months of the fiscal year,
 1076 additional credits become available pursuant to subparagraph
 1077 2., the office shall grant the tax credits by first increasing
 1078 the credit of those who received a pro rata reduction and, if
 1079 there are remaining credits, granting credits to those who
 1080 applied on or after the 11th business day of the state fiscal
 1081 year on a first-come, first-served basis.

1082 4. If, during the first 10 business days of the state
 1083 fiscal year, tax credit applications are received for more than
 1084 20 percent of available annual tax credits from eligible
 1085 sponsors for projects other than those that provide
 1086 homeownership opportunities for low-income or very-low-income
 1087 households, the office shall grant the tax credits to each
 1088 approved tax credit application on a pro rata basis. If, after
 1089 the first 2 months of the fiscal year, additional credits
 1090 become available pursuant to subparagraph 1., the office shall
 1091 grant the tax credits by first increasing the credit of those
 1092 who received a pro rata reduction and, if there are remaining
 1093 credits, granting credits to those who applied on or after the
 1094 11th business day of the state fiscal year on a first-come,
 1095 first-served basis.

1096 (6) EXPIRATION.--The provisions of this section, except
 1097 paragraph (1)(e), shall expire and be void on June 30, 2015
 1098 ~~2005~~.

1099 Section 22. Section 421.54, Florida Statutes, is repealed.

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1100 Section 23. (1) The sum of \$350,000 is hereby
 1101 appropriated from the General Revenue Fund for the purpose of
 1102 implementing the provisions established to promote single-family
 1103 homeownership pursuant to s. 420.507(42), Florida Statutes.

1104 (2) The sum of \$350,000 is hereby appropriated from the
 1105 General Revenue Fund for the purpose of matching rent set-asides
 1106 to provide financial assistance toward the purchase of a home
 1107 pursuant to s. 420.507(43), Florida Statutes.

1108 (3) The sum of \$5 million is hereby appropriated from the
 1109 General Revenue Fund to establish incentives which defer,
 1110 reduce, or waive impact fees pursuant to the provisions of s.
 1111 420.507(44), Florida Statutes.

1112 Section 24. This act shall take effect July 1, 2004.