

1 additional criteria for the affordable housing
2 delivery system under the state housing
3 strategy; amending s. 420.507, F.S.; revising
4 powers of the Florida Housing Finance
5 Corporation to provide additional criteria and
6 requirements for certain housing projects;
7 providing additional powers to promote single
8 family homeownership, implement a program to
9 provide financial assistance toward purchasing
10 a home, establish a program of incentives to
11 defer, reduce, or waive impact fees for certain
12 persons for certain purposes, and establish
13 requirements for reporting certain information
14 relating to programs of the corporation;
15 amending s. 420.508, F.S.; providing the
16 corporation with special powers to provide for
17 master lease agreements for farmworker housing
18 developments for certain purposes; amending s.
19 420.5087, F.S.; increasing a cap for loans per
20 housing community for the elderly; revising a
21 criterion for state apartment incentive loans;
22 amending s. 420.511, F.S.; providing additional
23 requirements for an annual report by the
24 corporation; amending s. 420.5092, F.S.;
25 requiring the corporation to provide an annual
26 assessment report of the Florida Affordable
27 Housing Guarantee Program; amending s. 420.517,
28 F.S.; requiring the corporation to coordinate
29 the provision of affordable housing and support
30 services for low-income residents; providing
31 for state and regional partnerships for such

1 purposes; providing reporting requirements;
2 amending s. 420.9072, F.S.; providing
3 additional legislative intent relating to local
4 government affordable housing advisory
5 committees; amending s. 420.9075, F.S.;
6 prohibiting local governments from setting
7 maximum sales prices below certain amounts;
8 providing a limitation; amending s. 420.9076,
9 F.S.; providing for a minimum number of
10 affordable housing advisory committee members;
11 providing a criterion for additional members;
12 requiring counties and municipalities
13 participating in the State Housing Initiative
14 Partnership Program to maintain an operational
15 advisory committee; providing additional
16 recommendation requirements for such advisory
17 committees; providing additional duties of the
18 advisory committees; amending s. 421.02, F.S.;
19 revising a legislative declaration relating to
20 blighted areas; amending s. 421.08, F.S.;
21 authorizing certain housing authorities to
22 create business entities for certain purposes;
23 providing requirements and limitations;
24 authorizing such authorities to provide for per
25 diem, travel, and other expenses; amending s.
26 421.09, F.S.; providing construction; amending
27 s. 421.23, F.S.; revising a limitation on
28 financial liabilities of such authorities;
29 amending s. 624.5105, F.S.; increasing the
30 amount of available annual community
31 contribution tax credits; revising eligibility

1 criteria; requiring the Office of Tourism,
2 Trade, and Economic Development to reserve
3 portions of certain annual tax credits for
4 eligible sponsors of certain low-income housing
5 projects; providing requirements, criteria, and
6 limitations; extending an expiration date;
7 repealing s. 421.54, F.S., relating to housing
8 authorities in Orange County and Seminole
9 County; providing appropriations; providing an
10 effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. This act may be referred to by the popular
15 name the "Florida Homeownership Act of 2004."

16 Section 2. Section 193.017, Florida Statutes, is
17 created to read:

18 193.017 Low-income housing tax credit.--Property used
19 for affordable housing which has received a low-income housing
20 tax credit from the Florida Housing Finance Corporation, as
21 authorized by s. 420.5099, shall be assessed under s. 193.011
22 and consistent with s. 420.5099(5) and (6), pursuant to this
23 section.

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

26 (2) The actual rental income from rent-restricted
27 units in such a property shall be recognized by the property
28 appraiser.

29 (3) Any costs paid for by tax credits and costs paid
30 for by additional financing proceeds received under chapter
31 420 may not be included in the valuation of the property.

1 (4) If an extended low-income housing agreement is
2 filed in the official public records of the county in which
3 the property is located, the agreement and any recorded
4 amendment or supplement thereto shall be considered a land
5 use regulation and a limitation on the highest and best use of
6 the property during the term of the agreement, amendment, or
7 supplement.

8 Section 3. Paragraph (q) of subsection (5) of section
9 212.08, Florida Statutes, is amended to read:

10 212.08 Sales, rental, use, consumption, distribution,
11 and storage tax; specified exemptions.--The sale at retail,
12 the rental, the use, the consumption, the distribution, and
13 the storage to be used or consumed in this state of the
14 following are hereby specifically exempt from the tax imposed
15 by this chapter.

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

17 (q) Community contribution tax credit for donations.--

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

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

25 b. The credit shall be granted as a refund against
26 state sales and use taxes reported on returns and remitted in
27 the 12 months preceding the date of application to the
28 department for the credit as required in sub-subparagraph 3.c.
29 If the annual credit is not fully used through such refund
30 because of insufficient tax payments during the applicable
31 12-month period, the unused amount may be included in an

1 application for a refund made pursuant to sub-subparagraph
2 3.c. in subsequent years against the total tax payments made
3 for such year. Carryover credits may be applied for a 3-year
4 period without regard to any time limitation that would
5 otherwise apply under s. 215.26;

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

9 d. All proposals for the granting of the tax credit
10 shall require the prior approval of the Office of Tourism,
11 Trade, and Economic Development;

12 e. The total amount of tax credits which may be
13 granted for all programs approved under this paragraph, s.
14 220.183, and s. 624.5105 is \$20~~\$10~~ million annually; and

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

19 2. Eligibility requirements.--

20 a. A community contribution by a person must be in the
21 following form:

22 (I) Cash or other liquid assets;

23 (II) Real property;

24 (III) Goods or inventory; or

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

27 b. All community contributions must be reserved
28 exclusively for use in a project. As used in this
29 sub-subparagraph, the term "project" means any activity
30 undertaken by an eligible sponsor which is designed to
31 construct, improve, or substantially rehabilitate housing that

1 | is affordable to low-income or very-low-income households as
2 | defined in s. 420.9071(19) and (28); designed to provide
3 | commercial, industrial, or public resources and facilities; or
4 | designed to improve entrepreneurial and job-development
5 | opportunities for low-income persons. A project may be the
6 | investment necessary to increase access to high-speed
7 | broadband capability in rural communities with enterprise
8 | zones, including projects that result in improvements to
9 | communications assets that are owned by a business. A project
10 | may include the provision of museum educational programs and
11 | materials that are directly related to any project approved
12 | between January 1, 1996, and December 31, 1999, and located in
13 | an enterprise zone as referenced in s. 290.00675. This
14 | paragraph does not preclude projects that propose to construct
15 | or rehabilitate housing for low-income or very-low-income
16 | households on scattered sites. ~~The Office of Tourism, Trade,~~
17 | ~~and Economic Development may reserve up to 50 percent of the~~
18 | ~~available annual tax credits for housing for very low income~~
19 | ~~households pursuant to s. 420.9071(28) for the first 6 months~~
20 | ~~of the fiscal year.~~ With respect to housing, contributions may
21 | be used to pay the following eligible low-income and
22 | very-low-income housing-related activities:
23 | (I) Project development impact and management fees for
24 | low-income or very-low-income housing projects;
25 | (II) Down payment and closing costs for eligible
26 | persons, as defined in s. 420.9071(19) and (28);
27 | (III) Administrative costs, including housing
28 | counseling and marketing fees, not to exceed 10 percent of the
29 | community contribution, directly related to low-income or
30 | very-low-income projects; and
31 |

1 (IV) Removal of liens recorded against residential
2 property by municipal, county, or special district local
3 governments when satisfaction of the lien is a necessary
4 precedent to the transfer of the property to an eligible
5 person, as defined in s. 420.9071(19) and (28), for the
6 purpose of promoting home ownership. Contributions for lien
7 removal must be received from a nonrelated third party.

8 c. The project must be undertaken by an "eligible
9 sponsor," which includes:

10 (I) A community action program;

11 (II) A nonprofit community-based development
12 organization whose mission is the provision of housing for
13 low-income or very-low-income households or increasing
14 entrepreneurial and job-development opportunities for
15 low-income persons;

16 (III) A neighborhood housing services corporation;

17 (IV) A local housing authority created under chapter
18 421;

19 (V) A community redevelopment agency created under s.
20 163.356;

21 (VI) The Florida Industrial Development Corporation;

22 (VII) A historic preservation district agency or
23 organization;

24 (VIII) A regional workforce board;

25 (IX) A direct-support organization as provided in s.
26 1009.983;

27 (X) An enterprise zone development agency created
28 under s. 290.0056;

29 (XI) A community-based organization incorporated under
30 chapter 617 which is recognized as educational, charitable, or
31 scientific pursuant to s. 501(c)(3) of the Internal Revenue

1 Code and whose bylaws and articles of incorporation include
2 affordable housing, economic development, or community
3 development as the primary mission of the corporation;

4 (XII) Units of local government;

5 (XIII) Units of state government; or

6 (XIV) Any other agency that the Office of Tourism,
7 Trade, and Economic Development designates by rule.

8
9 In no event may a contributing person have a financial
10 interest in the eligible sponsor.

11 d. The project must be located in an area designated
12 an enterprise zone or a Front Porch Florida Community pursuant
13 to s. 14.2015(9)(b), unless the project increases access to
14 high-speed broadband capability for rural communities with
15 enterprise zones but is physically located outside the
16 designated rural zone boundaries. Any project designed to
17 construct or rehabilitate housing for low-income or
18 very-low-income households as defined in s. 420.0971(19) and
19 (28) is exempt from the area requirement of this
20 sub-subparagraph.

21 e.(I) The Office of Tourism, Trade, and Economic
22 Development shall reserve 80 percent of the available annual
23 tax credits for donations made to eligible sponsors for
24 projects that provide homeownership opportunities to
25 low-income or very-low-income households pursuant to s.
26 420.9071(19) and (28) for the first 2 months of the fiscal
27 year. If less than 80 percent of the annual tax credits for
28 donations made to eligible sponsors for projects for
29 low-income or very-low-income households are approved within
30 the first 2 months of the fiscal year, the office may approve
31 the balance of available credits for donations made to

1 eligible sponsors for projects other than those that provide
2 homeownership opportunities for low-income or very-low-income
3 households.

4 (II) The office shall reserve 20 percent of the
5 available annual tax credits for donations made to eligible
6 sponsors for projects other than those that provide
7 homeownership opportunities for low-income or very-low-income
8 households pursuant to s. 420.9071(19) and (28) for the first
9 2 months of the fiscal year. If less than 20 percent of the
10 annual tax credits for donations made to eligible sponsors for
11 projects other than those that provide homeownership
12 opportunities for low-income or very-low-income households are
13 approved within the first 2 months of the fiscal year, the
14 office may approve the balance of available credits for
15 donations made to eligible sponsors for projects that provide
16 homeownership opportunities for low-income or very-low-income
17 households.

18 (III) If, during the first 10 business days of the
19 state fiscal year, tax credit applications are received for
20 more than 80 percent of available annual tax credits from
21 eligible sponsors for projects that provide homeownership
22 opportunities for low-income or very-low-income households,
23 the office shall grant the tax credits for such applications
24 as follows:

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

30 (B) If an eligible sponsor submits tax credit
31 applications which, in total, equal or exceed \$200,000, the

1 amount of tax credit granted pursuant to
2 sub-sub-sub-subparagraph (A) shall be subtracted from the
3 amount of available tax credits pursuant to
4 sub-sub-subparagraph (I), and the remaining credits shall be
5 granted to each approved tax credit application on a pro rata
6 basis.

7 (C) If, after the first 2 months of the fiscal year,
8 additional credits become available pursuant to
9 sub-sub-subparagraph (II), the office shall grant the tax
10 credits by first increasing the credit of those who received a
11 pro rata reduction and, if there are remaining credits,
12 granting credits to those who applied on or after the 11th
13 business day of the state fiscal year on a first-come,
14 first-served basis.

15 (IV) If, during the first 10 business days of the
16 state fiscal year, tax credit applications are received for
17 more than 20 percent of available annual tax credits from
18 eligible sponsors for projects other than those that provide
19 homeownership opportunities for low-income or very-low-income
20 households, the office shall grant the tax credits to each
21 approved tax credit application on a pro rata basis. If, after
22 the first 2 months of the fiscal year, additional credits
23 become available pursuant to sub-sub-subparagraph (I), the
24 office shall grant the tax credits by first increasing the
25 credit of those who received a pro rata reduction and, if
26 there are remaining credits, granting credits to those who
27 applied on or after the 11th business day of the state fiscal
28 year on a first-come, first-served basis.

29 3. Application requirements.--

30 a. Any eligible sponsor seeking to participate in this
31 program must submit a proposal to the Office of Tourism,

1 Trade, and Economic Development which sets forth the name of
2 the sponsor, a description of the project, and the area in
3 which the project is located, together with such supporting
4 information as is prescribed by rule. The proposal must also
5 contain a resolution from the local governmental unit in which
6 the project is located certifying that the project is
7 consistent with local plans and regulations.

8 b. Any person seeking to participate in this program
9 must submit an application for tax credit to the Office of
10 Tourism, Trade, and Economic Development which sets forth the
11 name of the sponsor, a description of the project, and the
12 type, value, and purpose of the contribution. The sponsor
13 shall verify the terms of the application and indicate its
14 receipt of the contribution, which verification must be in
15 writing and accompany the application for tax credit. The
16 person must submit a separate tax credit application to the
17 office for each individual contribution that it makes to each
18 individual project.

19 c. Any person who has received notification from the
20 Office of Tourism, Trade, and Economic Development that a tax
21 credit has been approved must apply to the department to
22 receive the refund. Application must be made on the form
23 prescribed for claiming refunds of sales and use taxes and be
24 accompanied by a copy of the notification. A person may submit
25 only one application for refund to the department within any
26 12-month period.

27 4. Administration.--

28 a. The Office of Tourism, Trade, and Economic
29 Development may adopt rules pursuant to ss. 120.536(1) and
30 120.54 necessary to administer this paragraph, including rules
31 for the approval or disapproval of proposals by a person.

1 b. The decision of the Office of Tourism, Trade, and
2 Economic Development must be in writing, and, if approved, the
3 notification shall state the maximum credit allowable to the
4 person. Upon approval, the office shall transmit a copy of the
5 decision to the Department of Revenue.

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

11 d. The Office of Tourism, Trade, and Economic
12 Development shall, in consultation with the Department of
13 Community Affairs, the Florida Housing Finance Corporation,
14 and the statewide and regional housing and financial
15 intermediaries, market the availability of the community
16 contribution tax credit program to community-based
17 organizations.

18 5. Expiration.--This paragraph expires June 30, 2015
19 ~~2005~~; however, any accrued credit carryover that is unused on
20 that date may be used until the expiration of the 3-year
21 carryover period for such credit.

22 Section 4. Paragraph (t) of subsection (1) of section
23 220.03, Florida Statutes, is amended to read:

24 220.03 Definitions.--

25 (1) SPECIFIC TERMS.--When used in this code, and when
26 not otherwise distinctly expressed or manifestly incompatible
27 with the intent thereof, the following terms shall have the
28 following meanings:

29 (t) "Project" means any activity undertaken by an
30 eligible sponsor, as defined in s. 220.183(2)(c), which is
31 designed to construct, improve, or substantially rehabilitate

1 | housing that is affordable to low-income or very-low-income
2 | households as defined in s. 420.9071(19) and (28); designed to
3 | provide commercial, industrial, or public resources and
4 | facilities; or designed to improve entrepreneurial and
5 | job-development opportunities for low-income persons. A
6 | project may be the investment necessary to increase access to
7 | high-speed broadband capability in rural communities with
8 | enterprise zones, including projects that result in
9 | improvements to communications assets that are owned by a
10 | business. A project may include the provision of museum
11 | educational programs and materials that are directly related
12 | to any project approved between January 1, 1996, and December
13 | 31, 1999, and located in an enterprise zone as referenced in
14 | s. 290.00675. This paragraph does not preclude projects that
15 | propose to construct or rehabilitate low-income or
16 | very-low-income housing on scattered sites. ~~The Office of~~
17 | ~~Tourism, Trade, and Economic Development may reserve up to 50~~
18 | ~~percent of the available annual tax credits under s. 220.181~~
19 | ~~for housing for very low income households pursuant to s.~~
20 | ~~420.9071(28) for the first 6 months of the fiscal year.~~ With
21 | respect to housing, contributions may be used to pay the
22 | following eligible project-related activities:

- 23 | 1. Project development, impact, and management fees
24 | for low-income or very-low-income housing projects;
- 25 | 2. Down payment and closing costs for eligible
26 | persons, as defined in s. 420.9071(19) and (28);
- 27 | 3. Administrative costs, including housing counseling
28 | and marketing fees, not to exceed 10 percent of the community
29 | contribution, directly related to low-income or
30 | very-low-income projects; and

31 |

1 4. Removal of liens recorded against residential
2 property by municipal, county, or special-district local
3 governments when satisfaction of the lien is a necessary
4 precedent to the transfer of the property to an eligible
5 person, as defined in s. 420.9071(19) and (28), for the
6 purpose of promoting home ownership. Contributions for lien
7 removal must be received from a nonrelated third party.

8
9 The provisions of this paragraph shall expire and be void on
10 June 30, 2015 ~~2005~~.

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

14 220.183 Community contribution tax credit.--

15 (1) AUTHORIZATION TO GRANT COMMUNITY CONTRIBUTION TAX
16 CREDITS; LIMITATIONS ON INDIVIDUAL CREDITS AND PROGRAM
17 SPENDING.--

18 (c) The total amount of tax credit which may be
19 granted for all programs approved under this section, s.
20 212.08(5)(q), and s. 624.5105 is ~~\$20~~^{\$10} million annually.

21 (2) ELIGIBILITY REQUIREMENTS.--

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

24 2. The Office of Tourism, Trade, and Economic
25 Development shall ~~may~~ reserve 80 ~~up to 50~~ percent of the
26 available annual tax credits for housing for donations made to
27 eligible sponsors for projects that provide homeownership
28 opportunities for low-income or very-low-income households
29 pursuant to s. 420.9071(19) and (28) for the first 2 ~~6~~ months
30 of the fiscal year. If less than 80 percent of the annual tax
31 credits for donations made to eligible sponsors for projects

1 for low-income or very-low-income households are approved
2 within the first 2 months of the fiscal year, the office may
3 approve the balance of available credits for donations made to
4 eligible sponsors for projects other than those that provide
5 homeownership opportunities for low-income or very-low-income
6 households.

7 3. The office shall reserve 20 percent of the
8 available annual tax credits for donations made to eligible
9 sponsors for projects other than those that provide
10 homeownership opportunities for low-income or very-low-income
11 households pursuant to s. 420.9071(19) and (28) for the first
12 2 months of the fiscal year. If less than 20 percent of the
13 annual tax credits for donations made to eligible sponsors for
14 projects other than those that provide homeownership
15 opportunities for low-income or very-low-income households are
16 approved within the first 2 months of the fiscal year, the
17 office may approve the balance of available credits for
18 donations made to eligible sponsors for projects that provide
19 homeownership opportunities for low-income or very-low-income
20 households.

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

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

1 b. If an eligible sponsor submits tax credit
2 applications which in total equal or exceed \$200,000, the
3 amount of tax credits granted pursuant to sub-subparagraph a.
4 shall be subtracted from the amount of available tax credits
5 pursuant to subparagraph 2., and the remaining credits shall
6 be granted to each approved tax credit application on a pro
7 rata basis.

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

15 5. If, during the first 10 business days of the state
16 fiscal year, tax credit applications are received for more
17 than 20 percent of available annual tax credits from eligible
18 sponsors for projects other than those that provide
19 homeownership opportunities for low-income or very-low-income
20 households, the office shall grant the tax credits to each
21 approved tax credit application on a pro rata basis. If, after
22 the first 2 months of the fiscal year, additional credits
23 become available pursuant to subparagraph 2., the office shall
24 grant the tax credits by first increasing the credit of those
25 who received a pro rata reduction and, if there are remaining
26 credits, granting credits to those who applied on or after the
27 11th business day of the state fiscal year on a first-come,
28 first-served basis.

29 (5) EXPIRATION.--The provisions of this section,
30 except paragraph (1)(e), shall expire and be void on June 30,
31 2015 2005.

1 Section 6. Paragraph (f) of subsection (6) of section
2 253.034, Florida Statutes, is amended to read:

3 253.034 State-owned lands; uses.--

4 (6) The Board of Trustees of the Internal Improvement
5 Trust Fund shall determine which lands, the title to which is
6 vested in the board, may be surplus. For conservation lands,
7 the board shall make a determination that the lands are no
8 longer needed for conservation purposes and may dispose of
9 them by an affirmative vote of at least three members. In the
10 case of a land exchange involving the disposition of
11 conservation lands, the board must determine by an affirmative
12 vote of at least three members that the exchange will result
13 in a net positive conservation benefit. For all other lands,
14 the board shall make a determination that the lands are no
15 longer needed and may dispose of them by an affirmative vote
16 of at least three members.

17 (f) In reviewing lands owned by the board, the council
18 shall consider whether such lands would be more appropriately
19 owned or managed by the county or other unit of local
20 government in which the land is located. The council shall
21 recommend to the board whether a sale, lease, or other
22 conveyance to a local government would be in the best
23 interests of the state and local government. The provisions of
24 this paragraph in no way limit the provisions of ss. 253.111
25 and 253.115. Such lands shall be offered to the state, county,
26 or local government for a period of 30 days. Permittable uses
27 for such surplus lands may include public schools; public
28 libraries; fire or law enforcement substations; ~~and~~
29 governmental, judicial, or recreational centers; and
30 affordable housing. County or local government requests for
31 surplus lands shall be expedited throughout the surplus

1 process. If the county or local government does not elect to
2 purchase such lands in accordance with s. 253.111, then any
3 surplusing determination involving other governmental agencies
4 shall be made upon the board deciding the best public use of
5 the lands. Surplus properties in which governmental agencies
6 have expressed no interest shall then be available for sale on
7 the private market.

8 Section 7. Subsection (5) is added to section
9 420.0003, Florida Statutes, to read:

10 420.0003 State housing strategy.--

11 (5) HOUSING OPTIONS.--The affordable housing delivery
12 system shall provide for a variety of housing options as
13 appropriate, including, but not limited to, single family and
14 multifamily housing built according to chapter 553,
15 manufactured housing as defined in s. 320.01(2)(b), and
16 housing coordinated with services for special needs
17 populations.

18 Section 8. Subsection (2) and paragraph (a) of
19 subsection (22) of section 420.507, Florida Statutes, are
20 amended, paragraph (h) is added to subsection (22) of that
21 section, and subsections (42), (43), (44), and (45) are added
22 to that section, to read:

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

28 (2) To undertake and carry out studies and analyses of
29 housing needs within the state and ways of meeting those
30 needs, to determine whether supplies of affordable housing in
31 various markets may exceed future demands, and to develop

1 methods of assessing and assisting in the viability of
2 properties adversely affected by overbuilt markets.

3 (22) To develop and administer the State Apartment
4 Incentive Loan Program. In developing and administering that
5 program, the corporation may:

6 (a) Make first, second, and other subordinated
7 mortgage loans including variable or fixed rate loans subject
8 to contingent interest for all State Apartment Incentive Loans
9 provided for in this chapter based upon available cash flow of
10 the projects. The corporation shall make loans exceeding 25
11 percent of project cost available only to nonprofit
12 organizations and public bodies which are able to secure
13 grants, donations of land, or contributions from other sources
14 and to projects meeting the criteria of subparagraph 1.
15 Mortgage loans shall be made available at the following rates
16 of interest:

17 1. Zero to 3 percent interest for sponsors of projects
18 that set aside at least ~~maintain an~~ 80 percent ~~occupancy~~ of
19 their total units for residents qualifying as farmworkers as
20 defined in s. 420.503(18), or commercial fishing workers as
21 defined in s. 420.503(5), ~~or the homeless as defined in s.~~
22 ~~420.621(4)~~ over the life of the loan.

23 2. Zero to 3 percent interest for projects that set
24 aside at least 80 percent of the project's total units for the
25 homeless as defined in s. 420.621(4), provided the board may
26 set the interest rate based on the pro rata share of units set
27 aside for homeless residents if the total of such units is
28 less than 80 percent of the units in the borrower's project.

29 ~~3.2.~~ Three to 9 percent interest for sponsors of
30 projects targeted at populations other than farmworkers,
31 commercial fishing workers, and the homeless.

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

6 (42) To promote single family homeownership in this
7 state and develop and implement a marketing plan in
8 cooperation with local governments and state and federal
9 agencies that includes strategies such as advertising,
10 homebuyer fairs, and homebuyer education.

11 (43) To provide by rule for a program, not to exceed
12 \$5,000 per home, to match the amount of rents set aside under
13 resident programs that are managed by affordable housing
14 providers participating in the corporation's rental programs
15 to provide financial assistance toward the purchase of a home.

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

23 (45) To establish by rule requirements for periodic
24 reporting of data, including, but not limited to, financial
25 data, housing market data, detailed economic and physical
26 occupancy on multifamily projects, and demographic data on all
27 housing financed through corporation programs.

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

30 420.508 Special powers; multifamily and single-family
31 projects.--The corporation shall have the special power to:

1 (8) Provide by rule for master lease agreements for
2 farmworker housing developments when and where appropriate to
3 ensure continuity and stability of housing for farmworker
4 populations.

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

8 420.5087 State Apartment Incentive Loan
9 Program.--There is hereby created the State Apartment
10 Incentive Loan Program for the purpose of providing first,
11 second, or other subordinated mortgage loans or loan
12 guarantees to sponsors, including for-profit, nonprofit, and
13 public entities, to provide housing affordable to
14 very-low-income persons.

15 (3) During the first 6 months of loan or loan
16 guarantee availability, program funds shall be reserved for
17 use by sponsors who provide the housing set-aside required in
18 subsection (2) for the tenant groups designated in this
19 subsection. The reservation of funds to each of these groups
20 shall be determined using the most recent statewide
21 very-low-income rental housing market study available at the
22 time of publication of each notice of fund availability
23 required by paragraph (6)(b). The reservation of funds within
24 each notice of fund availability to the tenant groups in
25 paragraphs (a), (b), and (d) may not be less than 10 percent
26 of the funds available at that time. Any increase in funding
27 required to reach the 10-percent minimum shall be taken from
28 the tenant group that has the largest reservation. The
29 reservation of funds within each notice of fund availability
30 to the tenant group in paragraph (c) may not be less than 5
31

1 percent of the funds available at that time. The tenant groups
2 are:

- 3 (a) Commercial fishing workers and farmworkers;
- 4 (b) Families;
- 5 (c) Persons who are homeless; and
- 6 (d) Elderly persons. Ten percent of the amount
7 reserved for the elderly shall be reserved to provide loans to
8 sponsors of housing for the elderly for the purpose of making
9 building preservation, health, or sanitation repairs or
10 improvements which are required by federal, state, or local
11 regulation or code, or lifesafety or security-related repairs
12 or improvements to such housing. Such a loan may not exceed
13 ~~\$500,000~~\$200,000 per housing community for the elderly. In
14 order to receive the loan, the sponsor of the housing
15 community must make a commitment to match at least 15 percent
16 of the loan amount to pay the cost of such repair or
17 improvement. The corporation shall establish the rate of
18 interest on the loan, which may not exceed 3 percent, and the
19 term of the loan, which may not exceed 15 years. The term of
20 the loan shall be established on the basis of a credit
21 analysis of the applicant. The corporation shall establish, by
22 rule, the procedure and criteria for receiving, evaluating,
23 and competitively ranking all applications for loans under
24 this paragraph. A loan application must include evidence of
25 the first mortgagee's having reviewed and approved the
26 sponsor's intent to apply for a loan. A nonprofit organization
27 or sponsor may not use the proceeds of the loan to pay for
28 administrative costs, routine maintenance, or new
29 construction.

30 (6) On all state apartment incentive loans, except
31 loans made to housing communities for the elderly to provide

1 for lifesafety, building preservation, health, sanitation, or
2 security-related repairs or improvements, the following
3 provisions shall apply:

4 (m) Sponsors shall ~~annually~~ certify, according to
5 requirements provided by the corporation by rule, the adjusted
6 gross income of all persons or families qualified under
7 subsection (2) at the time of initial occupancy, who are
8 residing in a project funded by this program. All persons or
9 families qualified under subsection (2) may continue to
10 qualify under subsection (2) in a project funded by this
11 program if the adjusted gross income of those persons or
12 families at the time of annual recertification meets the
13 requirements established in s. 142(d)(3)(B) of the Internal
14 Revenue Code of 1986, as amended. If the annual
15 recertification of persons or families qualifying under
16 subsection (2) results in noncompliance with income occupancy
17 requirements, the next available unit must be rented to a
18 person or family qualifying under subsection (2) in order to
19 ensure continuing compliance of the project.

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

22 420.511 Business plan; strategic plan; annual
23 report.--

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

28 (a) Its operations and accomplishments.†

29 (b) Changes made to the rules of the corporation
30 pursuant to s. 120.54.

31

1 ~~(c)(b)~~ Its receipts and expenditures during its fiscal
2 year in accordance with the categories or classifications
3 established by the corporation for its operating and capital
4 outlay purposes.†

5 ~~(d)(e)~~ Its assets and liabilities at the end of its
6 fiscal year and the status of reserve, special, or other
7 funds.†

8 ~~(e)(d)~~ A schedule of its bonds outstanding at the end
9 of its fiscal year, together with a statement of the principal
10 amounts of bonds issued and redeemed during the fiscal year.†

11 ~~and~~

12 ~~(f)(e)~~ Information relating to the corporation's
13 activities in implementing the provisions of ss. 420.5087 and
14 420.5088. The report required by this subsection shall
15 include, but not be limited to:

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

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

19 3. The average cost of producing units under each
20 program.

21 4. The average sales price of single-family units
22 financed under s. 420.5088.

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

25 6. The number of persons in rural communities served
26 under each program.

27 7. The number of farmworkers served under each
28 program.

29 8. The number of homeless persons served under each
30 program.

31

1 9. The number of elderly persons served under each
2 program.

3 10. The extent to which geographic distribution has
4 been achieved in accordance with the provisions of s.
5 420.5087.

6 11. The quarterly physical occupancy rate of each
7 multifamily housing project.

8 ~~12.11.~~ Any other information the corporation deems
9 appropriate.

10 (g) Information relating to the corporation's Florida
11 Affordable Housing Guarantee Program as created by s.
12 420.5092. The report required by this subsection shall
13 include, but not be limited to:

14 1. A status at the end of the most recently completed
15 fiscal year of the total amount of revenue bonds issued by the
16 corporation under s. 420.5092, the principal and interest due
17 on such bonds for the reporting period, the total amount of
18 such bonds redeemed during the reporting period, and the
19 interest earned by the investment of the funds from such
20 revenue bonds during the reporting period.

21 2. A list of all stabilized properties at the end of
22 the most recently completed fiscal year guaranteed by the
23 Florida Affordable Housing Guarantee Program, which includes
24 the city and county, the total number of units constructed,
25 the quarterly occupancy rates expressed as percentages for the
26 fiscal year, the total principal and interest due for the
27 fiscal year, the principal and interest paid for the fiscal
28 year, and the Florida Affordable Housing Guarantee Program's
29 total outstanding obligation at the end of the fiscal year.

30 Section 12. Subsection (12) is added to section
31 420.5092, Florida Statutes, to read:

1 420.5092 Florida Affordable Housing Guarantee
2 Program.--

3 (12) By October 1 of each year, the corporation shall
4 submit to the Governor, the President of the Senate, the
5 Speaker of the House of Representatives, and the chairs of the
6 respective appropriations committees an assessment of the
7 Florida Affordable Housing Guarantee Program. The assessment
8 shall include an analysis of the likelihood that the guarantee
9 fund will pay claims during the next 2 fiscal years.

10 Section 13. Section 420.517, Florida Statutes, is
11 amended to read:

12 420.517 Coordination of affordable housing and support
13 services for low-income residents ~~job training coordination~~.--

14 (1) The Florida Housing Finance corporation shall
15 undertake efforts to provide incentives to developers to build
16 housing that encourages onsite job skills training to enable
17 low-income residents to obtain and maintain meaningful
18 employment. To the extent possible, the corporation shall
19 direct all recipients of state housing funds, including
20 municipalities, to work in cooperation with local and regional
21 Job Training Partnerships Boards to provide training to
22 residents and others who may be making the transition from
23 welfare to the workforce. The corporation shall provide
24 incentives through housing policy and program guidelines to
25 prioritize those developments that encourage workforce
26 training and skills development.

27 (2) The corporation shall coordinate with state and
28 regional entities, including, but not limited to, the Agency
29 for Workforce Innovation, the Department of Education, the
30 Department of Elderly Affairs, the Department of Children and
31 Family Services, the Department of Veteran's Affairs, the

1 Department of Corrections, and the Department of Juvenile
2 Justice, to provide affordable housing tenants and providers
3 with information about available supportive services,
4 including education, job training, and health and social
5 services. The corporation shall also coordinate with state
6 agencies to provide prospective tenants with assistance in
7 qualifying for affordable housing.

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

13 (4) The corporation shall report on its coordination
14 efforts and accomplishments in the annual report required by
15 s. 420.511(3).

16 Section 14. Paragraph (a) of subsection (1) of section
17 420.9072, Florida Statutes, is amended to read:

18 420.9072 State Housing Initiatives Partnership
19 Program.--The State Housing Initiatives Partnership Program is
20 created for the purpose of providing funds to counties and
21 eligible municipalities as an incentive for the creation of
22 local housing partnerships, to expand production of and
23 preserve affordable housing, to further the housing element of
24 the local government comprehensive plan specific to affordable
25 housing, and to increase housing-related employment.

26 (1)(a) In addition to the legislative findings set
27 forth in s. 420.6015, the Legislature finds that affordable
28 housing is most effectively provided by combining available
29 public and private resources to conserve and improve existing
30 housing and provide new housing for very-low-income
31 households, low-income households, and moderate-income

1 | households. The Legislature intends to encourage partnerships
2 | in order to secure the benefits of cooperation by the public
3 | and private sectors and to reduce the cost of housing for the
4 | target group by effectively combining all available resources
5 | and cost-saving measures. The Legislature further intends that
6 | local governments achieve this combination of resources by
7 | encouraging active partnerships between government, lenders,
8 | builders and developers, real estate professionals, advocates
9 | for low-income persons, and community groups to produce
10 | affordable housing and provide related services. Extending the
11 | partnership concept to encompass cooperative efforts among
12 | small counties as defined in s. 120.52(17), and among counties
13 | and municipalities is specifically encouraged. Local
14 | governments are also intended to establish and retain an
15 | affordable housing advisory committee to recommend monetary
16 | and nonmonetary incentives for affordable housing as provided
17 | in s. 420.9076.

18 | Section 15. Paragraph (c) of subsection (4) of section
19 | 420.9075, Florida Statutes, is amended to read:

20 | 420.9075 Local housing assistance plans;
21 | partnerships.--

22 | (4) The following criteria apply to awards made to
23 | eligible sponsors or eligible persons for the purpose of
24 | providing eligible housing:

25 | (c) The sales price or value of new or existing
26 | eligible housing may not exceed 90 percent of the average area
27 | purchase price in the statistical area in which the eligible
28 | housing is located as established by the corporation by rule.
29 | Local governments may not set maximum sales prices below the
30 | amounts established by the corporation. If Federal Housing
31 | Administration limits are lower than those established by the

1 corporation, the Federal Housing Administration limits shall
2 be the maximum ~~Such average area purchase price may be that~~
3 ~~calculated for any 12 month period beginning not earlier than~~
4 ~~the fourth calendar year prior to the year in which the award~~
5 ~~occurs.~~

6
7 If both an award under the local housing assistance plan and
8 federal low-income housing tax credits are used to assist a
9 project and there is a conflict between the criteria
10 prescribed in this subsection and the requirements of s. 42 of
11 the Internal Revenue Code of 1986, as amended, the county or
12 eligible municipality may resolve the conflict by giving
13 precedence to the requirements of s. 42 of the Internal
14 Revenue Code of 1986, as amended, in lieu of following the
15 criteria prescribed in this subsection with the exception of
16 paragraphs (a) and (d) of this subsection.

17 Section 16. Subsection (2) of section 420.9076,
18 Florida Statutes, is amended, present subsections (3) through
19 (7) of that section are renumbered as subsections (4) through
20 (8), respectively, a new subsection (3) and subsection (9) are
21 added to that section, and paragraphs (k) and (l) are added to
22 present subsection (4) of that section, to read:

23 420.9076 Adoption of affordable housing incentive
24 strategies; committees.--

25 (2) The governing board of a county or municipality
26 shall appoint the members of the affordable housing advisory
27 committee by resolution. Pursuant to the terms of any
28 interlocal agreement, a county and municipality may create and
29 jointly appoint an advisory committee to prepare a joint plan.
30 The ordinance adopted pursuant to s. 420.9072 which creates
31 the advisory committee or the resolution appointing the

1 advisory committee members must provide for a minimum of nine
2 committee members and their terms. The committee must include:

3 (a) One citizen who is actively engaged in the
4 residential home building industry in connection with
5 affordable housing.

6 (b) One citizen who is actively engaged in the banking
7 or mortgage banking industry in connection with affordable
8 housing.

9 (c) One citizen who is a representative of those areas
10 of labor actively engaged in home building in connection with
11 affordable housing.

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

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

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

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

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

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

24

25 Any additional committee members must be citizens within the
26 jurisdiction of the local governing body making the
27 appointments. If a county or eligible municipality whether due
28 to its small size, the presence of a conflict of interest by
29 prospective appointees, or other reasonable factor, is unable
30 to appoint a citizen actively engaged in these activities in
31 connection with affordable housing, a citizen engaged in the

1 activity without regard to affordable housing may be
2 appointed.

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

6 ~~(5)(4)~~ The advisory committee shall review the
7 established policies and procedures, ordinances, land
8 development regulations, and adopted local government
9 comprehensive plan of the appointing local government and
10 shall recommend specific initiatives to encourage or
11 facilitate affordable housing while protecting the ability of
12 the property to appreciate in value. Such recommendations may
13 include the modification or repeal of existing policies,
14 procedures, ordinances, regulations, or plan provisions; the
15 creation of exceptions applicable to affordable housing; or
16 the adoption of new policies, procedures, regulations,
17 ordinances, or plan provisions. At a minimum, each advisory
18 committee shall make recommendations on affordable housing
19 incentives in the following areas:

20 (k) The review of the housing element of the local
21 government comprehensive plan pursuant to chapter 163 and the
22 Local Housing Assistance Plan.

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

25
26 The advisory committee recommendations must also include other
27 affordable housing incentives identified by the advisory
28 committee.

29 (9) The advisory committee shall have a continuing
30 function as an oversight committee for the implementation of
31 the local housing assistance plan and incentive strategies.

1 The advisory committee shall meet no less than annually to
2 review the local housing assistance plan and incentive
3 strategies to provide recommendations to the appointing local
4 government in regard to its housing strategies and incentives.
5 A copy of the advisory committee's recommendations shall be
6 transmitted to the Florida Housing Finance Corporation with
7 submission of the local government's annual SHIP report.

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

10 421.02 Finding and declaration of necessity.--It is
11 hereby declared that:

12 (2) Blighted Slum areas in the state cannot be
13 revitalized ~~cleared~~, nor can the shortage of safe and sanitary
14 dwellings for persons of low income be relieved, through the
15 operation of private enterprise, ~~and that the construction of~~
16 ~~housing projects for persons of low income, as herein defined,~~
17 ~~would therefore not be competitive with private enterprise.~~

18 Section 18. Subsection (8) of section 421.08, Florida
19 Statutes, is renumbered as subsection (10), and new
20 subsections (8) and (9) are added to that section, to read:

21 421.08 Powers of authority.--An authority shall
22 constitute a public body corporate and politic, exercising the
23 public and essential governmental functions set forth in this
24 chapter, and having all the powers necessary or convenient to
25 carry out and effectuate the purpose and provisions of this
26 chapter, including the following powers in addition to others
27 herein granted:

28 (8) To create for-profit and non-for-profit
29 corporations, limited liability companies, and such other
30 business entities pursuant to the laws of this state in which
31 housing authorities may hold an ownership interest or

1 participate in their governance to engage in the development,
2 acquisition, leasing, construction, rehabilitation,
3 management, or operation of multifamily and single-family
4 residential projects. These projects may include
5 nonresidential uses and may use public and private funds to
6 serve individuals or families who meet the applicable income
7 requirements of the state or federal program involved, whose
8 income does not exceed 150 percent of the applicable Area
9 Median Income as established by the United States Department
10 of Housing and Urban Development, and who, in the
11 determination of the housing authority, lack sufficient income
12 or assets to enable them to purchase or rent decent, safe, and
13 sanitary dwelling. These corporations, limited liability
14 companies, or other business entities are authorized and
15 empowered to join partnerships, joint ventures, or limited
16 liability companies or to otherwise engage with business
17 entities in the development, acquisition, leasing,
18 construction, rehabilitation, management, or operation of such
19 projects. The creation of such corporations, limited liability
20 companies, or other business entities by housing authorities
21 for the purposes set forth in this chapter together with all
22 proceedings, acts, and things theretofore undertaken,
23 performed, or done are hereby validated, ratified, confirmed,
24 approved, and declared legal in all respects.

25 (9) Notwithstanding the provisions for per diem and
26 travel expenses of public officers, employees, and authorized
27 persons set forth in s. 112.061, the governing board of an
28 authority may approve and implement policies for per diem,
29 travel, and other expenses of its officials, officers, board
30 members, employees, and authorized persons in a manner
31 consistent with federal guidelines.

1 Section 19. Section 421.09, Florida Statutes, is
2 amended to read:

3 421.09 Operation not for profit.--It is the policy of
4 this state that each housing authority shall manage and
5 operate its housing projects in an efficient manner so as to
6 enable it to fix the rentals for dwelling accommodations at
7 the lowest possible rates consistent with its providing
8 decent, safe and sanitary dwelling accommodations, and that no
9 housing authority shall construct or operate any such project
10 for profit, or as a source of revenue to the city. To this end
11 an authority shall fix the rentals for dwellings in its
12 project at no higher rate than it shall find to be necessary
13 in order to produce revenues which, together with all other
14 available moneys, revenue, income and receipts of the
15 authority from whatever sources derived, will be sufficient:

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

18 (2) To meet the cost of, and to provide for,
19 maintaining and operating the projects, including the cost of
20 any insurance, and the administrative expenses of the
21 authority; and

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

27
28 This section shall in no way prohibit or restrict the
29 activities or operations of the business entities created
30 pursuant to s. 421.08(8).
31

1 Section 20. Section 421.23, Florida Statutes, is
2 amended to read:

3 421.23 Liabilities of authority.--In no event shall
4 the liabilities, whether ex contractu or ex delicto, of an
5 authority arising from the operation of its housing projects,
6 be payable from any funds other than the rents, fees, or
7 revenues of such projects and any grants or subsidies paid to
8 such authority by the Federal Government, unless such other
9 funds are lawfully pledged by the authority's governing board.

10 Section 21. Paragraph (c) of subsection (1) and
11 subsection (6) of section 624.5105, Florida Statutes, are
12 amended, and paragraph (e) is added to subsection (2) of that
13 section, to read:

14 624.5105 Community contribution tax credit;
15 authorization; limitations; eligibility and application
16 requirements; administration; definitions; expiration.--

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

18 (c) The total amount of tax credit which may be
19 granted for all programs approved under this section and ss.
20 212.08(5)(g) and s. 220.183 is \$20\$10 million annually.

21 (2) ELIGIBILITY REQUIREMENTS.--

22 (e)1. The Office of Tourism, Trade, and Economic
23 Development shall reserve 80 percent of the available annual
24 tax credits for donations made to eligible sponsors for
25 projects that provide homeownership opportunities for
26 low-income or very-low-income households pursuant to s.
27 420.9071(19) and (28) for the first 2 months of the fiscal
28 year. If less than 80 percent of the annual tax credits for
29 donations made to eligible sponsors for projects that provide
30 homeownership opportunities for low-income or very-low-income
31 households are approved within the first 2 months of the

1 fiscal year, the office may approve the balance of available
2 credits for donations made to eligible sponsors for projects
3 other than those that provide homeownership opportunities for
4 low-income or very-low-income households.

5 2. The office shall reserve 20 percent of the
6 available annual tax credits for donations made to eligible
7 sponsors for projects other than those that provide
8 homeownership opportunities for low-income or very-low-income
9 households pursuant to s. 420.9071(19) and (28) for the first
10 2 months of the fiscal year. If less than 20 percent of the
11 annual tax credits for donations made to eligible sponsors for
12 projects other than those that provide homeownership
13 opportunities for low-income or very-low-income households are
14 approved within the first 2 months of the fiscal year, the
15 office may approve the balance of available credits for
16 donations made to eligible sponsors for projects that provide
17 homeownership opportunities for low-income or very-low-income
18 households.

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

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

30 b. If an eligible sponsor submits tax credit
31 applications which in total equal or exceed \$200,000, the

1 amount of tax credits granted pursuant to sub-subparagraph a.
2 shall be subtracted from the amount of available tax credits
3 pursuant to subparagraph 1., and the remaining credits shall
4 be granted to each approved tax credit application on a pro
5 rata basis.

6 c. If, after the first 2 months of the fiscal year,
7 additional credits become available pursuant to subparagraph
8 2., the office shall grant the tax credits by first increasing
9 the credit of those who received a pro rata reduction and, if
10 there are remaining credits, granting credits to those who
11 applied on or after the 11th business day of the state fiscal
12 year on a first-come, first-served basis.

13 4. If, during the first 10 business days of the state
14 fiscal year, tax credit applications are received for more
15 than 20 percent of available annual tax credits from eligible
16 sponsors for projects other than those that provide
17 homeownership opportunities for low-income or very-low-income
18 households, the office shall grant the tax credits to each
19 approved tax credit application on a pro rata basis. If, after
20 the first 2 months of the fiscal year, additional credits
21 become available pursuant to subparagraph 1., the office shall
22 grant the tax credits by first increasing the credit of those
23 who received a pro rata reduction and, if there are remaining
24 credits, granting credits to those who applied on or after the
25 11th business day of the state fiscal year on a first-come,
26 first-served basis.

27 (6) EXPIRATION.--The provisions of this section,
28 except paragraph (1)(e), shall expire and be void on June 30,
29 2015 2005.

30 Section 22. Section 421.54, Florida Statutes, is
31 repealed.

1 Section 23. (1) The sum of \$350,000 is appropriated
2 from the General Revenue Fund for the purpose of implementing
3 the provisions established to promote single-family
4 homeownership pursuant to section 420.507(42), Florida
5 Statutes.

6 (2) The sum of \$350,000 is appropriated from the
7 General Revenue Fund for the purpose of matching rent
8 set-asides to provide financial assistance toward the purchase
9 of a home pursuant to section 420.507(43), Florida Statutes.

10 (3) The sum of \$5 million is appropriated from the
11 General Revenue Fund to establish incentives which defer,
12 reduce, or waive impact fees pursuant to the provisions of
13 section 420.507(44), Florida Statutes.

14 Section 24. This act shall take effect July 1, 2004.
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1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 Senate Bill 3002

4 This CS differs from the bill as filed in the following ways:

- 5 - Creates Section 1 to name the bill the "Florida
6 Homeownership Act of 2004."
7 - Amends proposed s. 197.017, F.S., to delete a provision
8 requiring the property appraiser to adhere to appropriate
9 standards of professional appraisal practice for purposes
10 of implementing the requirement to value low-income
11 rental properties.
12 - Amends s. 420.507, F.S., to authorize the FHFC to
13 determine whether supplies of affordable housing in
14 various markets may exceed future demands, and to develop
15 methods of assessing and assisting in the viability of
16 properties adversely affected by overbuilt markets.
17 - Amends s. 420.508, F.S., to authorize FHFC to provide by
18 rule for master lease agreements for farm-worker housing
19 developments when and where appropriate to ensure
20 continuity and stability of housing for farm-worker
21 populations.
22 - Deletes the proposed authority in s. 420.5087(6), F.S.,
23 that authorized FHFC to adopt procedures, by rule, to
24 intervene, negotiate terms, or undertake any actions that
25 are fiscally responsible, maximize returns to the state,
26 and are deemed necessary to avoid a default of SAIL
27 loans.
28 - Deletes the proposed amendment to s. 420.5088(1), F.S.,
29 which would have allowed the FHFC to make purchase and
30 down-payment loans, through the Florida Homeowner
31 Assistance Program, for site built homes or
manufactured/mobile homes.
- Amends s. 420.511(3), F.S., to require FHFC to report
rule changes in their annual report.
- Creates subsection (12) of s. 420.5092, F.S., to require
an annual assessment of the Florida Affordable Housing
Guarantee Program.
- Requires that the local government affordable housing
advisory committees are to have a continuing function as
an oversight committee for the implementation of the
local housing assistance plan and incentive strategies.
- Amends s. 421.02(2), F.S., to delete legislative findings
that the construction of public housing projects for
persons of low income would not be competitive with
private enterprise.
- Amends s. 421.08, F.S., to provide statutory authority
for public housing authorities to create public-private
partnerships to assist in creating and maintaining

- 1 | affordable housing.
- 2 | - Amends s. 421.09, F.S., to specify that the
3 | not-for-profit status of housing authorities does not
4 | prohibit or restrict the activities regarding
5 | public-private partnerships to assist in the provision of
6 | affordable housing.
- 7 | - Amends s. 421.23, F.S., to specify that liabilities
8 | incurred by governing boards of housing authorities may
9 | not be payable from the rents, fees, revenues, grants or
10 | subsidies paid by the federal government unless such
11 | other funds are lawfully pledged by the authority's
12 | governing board.
- 13 | - Repeals s. 421.54, F.S., concerning required notice and
14 | approval provisions for public housing in Orange and
15 | Seminole Counties.
- 16 | - Appropriates \$350,000 in General Revenue to the FHFC to
17 | promote single family homeownership.
- 18 | - Appropriates \$350,000 in General Revenue to match rent
19 | set-asides used to provide financial assistance in the
20 | purchase of a home.
- 21 | - Appropriates \$5,000,000 in General Revenue to establish
22 | incentives which defer, reduce or waive impact fees.
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