

HB 1309

2006

1 A bill to be entitled
2 An act relating to local housing assistance; amending s.
3 420.9075, F.S.; providing down payment assistance to
4 essential service and skilled building trades personnel;
5 providing criteria for such assistance; requiring
6 compliance with the eligibility criteria to be verified by
7 the county or eligible municipality; providing that the
8 program shall provide down payment assistance in an amount
9 to be determined by rule; providing that liens on the
10 recipient's property securing the assistance shall be
11 released under certain conditions; encouraging counties
12 and municipalities to develop an element within their
13 local housing assistance plans emphasizing the recruitment
14 and retention of such personnel; authorizing the Florida
15 Housing Finance Corporation to allocate certain funds;
16 providing the corporation with rulemaking authority;
17 amending ss. 420.9072 and 420.9079, F.S.; conforming
18 cross-references to changes made by the act; providing an
19 appropriation; providing an effective date.

20
21 Be It Enacted by the Legislature of the State of Florida:

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23 Section 1. Subsections (5) through (12) of section
24 420.9075, Florida Statutes, are renumbered as subsections (6)
25 through (13), respectively, and a new subsection (5) is added to
26 that section to read:

27 420.9075 Local housing assistance plans; partnerships.--

28 (5) In order to assist in the recruitment and retention of
29 essential service personnel and skilled building trades
30 personnel, the following shall be included in the local housing
31 assistance plan:

32 (a) Down payment assistance shall be provided to an
33 eligible person who meets the following criteria, in addition to
34 other requirements of the plan. The person:

35 1. Shall be employed full time in an essential service
36 occupation or skilled building trade.

37 2. Shall declare his or her homestead and maintain
38 residency at his or her homestead.

39 3. Shall demonstrate a 5-year minimum commitment to
40 continued employment in an essential service occupation or
41 skilled building trade within the county of current employment.

42 (b) Compliance with the eligibility criteria established
43 under this subsection shall be verified during the life of the
44 loan by the county or eligible municipality.

45 (c) The program shall provide down payment assistance in
46 an amount to be determined by rule, not to exceed 25 percent of
47 purchase price, if the county or eligible municipality within
48 which an eligible recipient is employed provides funding through
49 the State Housing Initiatives Partnership Program to the
50 eligible recipient under ss. 420.907-420.9079, whether solely or
51 in conjunction with a local housing finance agency or a private
52 sector partner.

53 (d) Any lien on the recipient's property securing the
54 assistance provided under this subsection shall be released if

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55 the recipient fulfills the 5-year commitment specified in
56 subparagraph (a)3.

57 (e) Each county and each eligible municipality is
58 encouraged to develop an element within its local housing
59 assistance plan that emphasizes the recruitment and retention of
60 essential service personnel and persons skilled in the building
61 trades.

62 (f) Notwithstanding the distribution formula in s.
63 420.9073, the corporation is authorized to allocate funds to
64 implement this subsection and may allocate funds to projects
65 that are regional or statewide in scope.

66 (g) The corporation is authorized to make rules to
67 implement this subsection, including, but not limited to, the
68 allocation of funds and selection of projects for funding under
69 this subsection.

70 Section 2. Subsection (2) of section 420.9072, Florida
71 Statutes, is amended to read:

72 420.9072 State Housing Initiatives Partnership
73 Program.--The State Housing Initiatives Partnership Program is
74 created for the purpose of providing funds to counties and
75 eligible municipalities as an incentive for the creation of
76 local housing partnerships, to expand production of and preserve
77 affordable housing, to further the housing element of the local
78 government comprehensive plan specific to affordable housing,
79 and to increase housing-related employment.

80 (2) (a) To be eligible to receive funds under the program,
81 a county or eligible municipality must:

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82 1. Submit to the corporation its local housing assistance
83 plan describing the local housing assistance strategies
84 established pursuant to s. 420.9075;

85 2. Within 12 months after adopting the local housing
86 assistance plan, amend the plan to incorporate the local housing
87 incentive strategies defined in s. 420.9071(16) and described in
88 s. 420.9076; and

89 3. Within 24 months after adopting the amended local
90 housing assistance plan to incorporate the local housing
91 incentive strategies, amend its land development regulations or
92 establish local policies and procedures, as necessary, to
93 implement the local housing incentive strategies adopted by the
94 local governing body. A county or an eligible municipality that
95 has adopted a housing incentive strategy pursuant to s. 420.9076
96 before the effective date of this act shall review the status of
97 implementation of the plan according to its adopted schedule for
98 implementation and report its findings in the annual report
99 required by s. 420.9075(10)~~(9)~~. If as a result of the review, a
100 county or an eligible municipality determines that the
101 implementation is complete and in accordance with its schedule,
102 no further action is necessary. If a county or an eligible
103 municipality determines that implementation according to its
104 schedule is not complete, it must amend its land development
105 regulations or establish local policies and procedures, as
106 necessary, to implement the housing incentive plan within 12
107 months after the effective date of this act, or if extenuating
108 circumstances prevent implementation within 12 months, pursuant

109 | to s. 420.9075 (13) ~~(12)~~, enter into an extension agreement with
 110 | the corporation.

111 | (b) A county or an eligible municipality seeking approval
 112 | to receive its share of the local housing distribution must
 113 | adopt an ordinance containing the following provisions:

114 | 1. Creation of a local housing assistance trust fund as
 115 | described in s. 420.9075 (6) ~~(5)~~.

116 | 2. Adoption by resolution of a local housing assistance
 117 | plan as defined in s. 420.9071(14) to be implemented through a
 118 | local housing partnership as defined in s. 420.9071(18).

119 | 3. Designation of the responsibility for the
 120 | administration of the local housing assistance plan. Such
 121 | ordinance may also provide for the contracting of all or part of
 122 | the administrative or other functions of the program to a third
 123 | person or entity.

124 | 4. Creation of the affordable housing advisory committee
 125 | as provided in s. 420.9076.

126 |
 127 | The ordinance must not take effect until at least 30 days after
 128 | the date of formal adoption. Ordinances in effect prior to the
 129 | effective date of amendments to this section shall be amended as
 130 | needed to conform to new provisions.

131 | Section 3. Subsection (2) of section 420.9079, Florida
 132 | Statutes, is amended to read:

133 | 420.9079 Local Government Housing Trust Fund.--

134 | (2) The corporation shall administer the fund exclusively
 135 | for the purpose of implementing the programs described in ss.
 136 | 420.907-420.9078 and this section. With the exception of

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137 monitoring the activities of counties and eligible
138 municipalities to determine local compliance with program
139 requirements, the corporation shall not receive appropriations
140 from the fund for administrative or personnel costs. For the
141 purpose of implementing the compliance monitoring provisions of
142 s. 420.9075(9)~~(8)~~, the corporation may request a maximum of
143 \$200,000 per state fiscal year. When such funding is
144 appropriated, the corporation shall deduct the amount
145 appropriated prior to calculating the local housing distribution
146 pursuant to ss. 420.9072 and 420.9073.

147 Section 4. Effective July 1, 2006, there is appropriated
148 from the Local Government Housing Trust Fund, for distribution
149 through the State Housing Initiative Partnership Program as
150 provided in s. 420.9075(5), Florida Statutes, to the Florida
151 Housing Finance Corporation an amount sufficient for the purpose
152 of providing funds for affordable housing to assist in retention
153 and recruitment of essential service personnel and persons
154 skilled in the building trades.

155 Section 5. This act shall take effect July 1, 2006.