

CHAMBER ACTION

1 The Growth Management Committee recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to affordable housing; creating s.
7 125.379, F.S.; providing for disposition of county
8 property for affordable housing; amending s. 163.31771,
9 F.S.; conforming cross-references; amending s. 163.3187,
10 F.S.; revising a limitation relating to small scale
11 comprehensive plan amendments involving the construction
12 of affordable housing units; creating s. 166.0451, F.S.;
13 providing for disposition of municipal property for
14 affordable housing; amending s. 189.4155, F.S.;
15 authorizing independent special districts to provide for
16 employee housing assistance; amending s. 191.006, F.S.;
17 authorizing an independent special fire control district
18 to provide housing or housing assistance for its employed
19 personnel; amending s. 193.017, F.S.; authorizing the
20 Florida Housing Finance Corporation and the Department of
21 Revenue to annually set the cap rate used for assessing
22 just valuation of affordable housing properties; amending
23 s. 196.1978, F.S.; specifying what constitutes a nonprofit

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24 | entity for purposes of affordable housing property tax
25 | exemption; conforming cross-references; creating s.
26 | 196.1980, F.S.; creating the Manny Diaz Affordable Housing
27 | Property Tax Relief Initiative; providing criteria for
28 | assessing just valuation of affordable housing properties
29 | serving persons of low, moderate, and very low incomes;
30 | amending s. 201.15, F.S.; removing a cap on certain funds
31 | distributed to the State Housing Trust Fund; amending ss.
32 | 212.08, 220.183, and 624.5105, F.S.; increasing the amount
33 | of available tax credits against the sales tax, corporate
34 | income tax, and insurance premium tax, respectively, for
35 | projects under the community contribution tax credit
36 | program and providing separate annual limitations for
37 | certain projects; revising requirements and procedures for
38 | the Office of Tourism, Trade, and Economic Development in
39 | granting tax credits under the program; conforming cross-
40 | references; amending s. 253.034, F.S.; providing for the
41 | disposition of state lands for affordable housing;
42 | amending s. 295.16, F.S.; expanding the disabled veteran
43 | exemption from certain license and permit fees; amending
44 | s. 380.06, F.S.; providing a greater substantial deviation
45 | threshold for the provision of affordable housing in a
46 | development of regional impact; conforming cross-
47 | references; amending s. 380.0651, F.S.; providing a
48 | statewide guidelines and standards bonus for the provision
49 | of affordable housing; amending s. 420.0004, F.S.;
50 | defining the term "extremely low income persons";
51 | conforming cross-references; repealing s. 420.37, F.S.,

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52 relating to additional powers of the Florida Housing
53 Finance Corporation; amending s. 420.503, F.S.; revising
54 the definition of the term "farmworker" under the Florida
55 Housing Finance Corporation Act; providing rulemaking
56 authority; amending s. 420.5061, F.S.; conforming a cross-
57 reference; amending s. 420.507, F.S.; revising and
58 expanding the powers of the Florida Housing Finance
59 Corporation; providing certain emergency rulemaking
60 authority; amending s. 420.5087, F.S.; increasing the
61 population criteria for the State Apartment Incentive Loan
62 Program; revising criteria for loans; conforming cross-
63 references; amending s. 420.5088, F.S.; expanding the
64 scope of the Florida Homeownership Assistance Program;
65 revising loan requirements; deleting a provision reserving
66 program funds for certain borrowers; creating s. 420.5095,
67 F.S.; creating the Community Workforce Housing Innovation
68 Program; providing the Florida Housing Finance Corporation
69 with certain powers and responsibilities relating to the
70 program; requiring the program to target certain entities;
71 requiring the program to supplement existing affordable
72 housing programs; providing incentives for program
73 applicants; amending s. 420.9072, F.S.; conforming cross-
74 references; amending s. 420.9075, F.S.; providing a
75 percentage of funds for homeownership for very-low-income
76 individuals; providing components to be included in the
77 local housing assistance plan; amending s. 420.9076, F.S.;
78 revising a cross-reference; amending s. 420.9079, F.S.;
79 revising the maximum appropriation the Florida Housing

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80 Finance Corporation may request each state fiscal year;
81 conforming a cross-reference; amending s. 1001.42, F.S.;
82 authorizing district school boards to provide affordable
83 housing for certain teachers and other instructional
84 personnel; authorizing the Florida Housing Finance
85 Corporation to adopt certain rules; providing
86 appropriations; providing effective dates.
87

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

90 Section 1. Section 125.379, Florida Statutes, is created
91 to read:

92 125.379 Disposition of county property for affordable
93 housing.--

94 (1) By January 1, 2007, and every 3 years thereafter, each
95 county shall prepare an inventory list of all real property
96 within its jurisdiction to which the county holds fee simple
97 title. The inventory list must include the address and legal
98 description of each real property and specify whether the
99 property is vacant or improved. County planning staff shall
100 review the inventory list and identify each property that is
101 appropriate for use as affordable housing. The time for
102 preparing the inventory list and its review by county planning
103 staff may not exceed 6 months. The properties identified as
104 appropriate for use as affordable housing may be offered for
105 sale and the proceeds used to purchase land for the development
106 of affordable housing or donated to the Local Government Housing
107 Trust Fund, sold with a restriction that requires any

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108 development on the property to include a specified percentage of
109 permanent affordable housing, or donated to a nonprofit housing
110 organization for the construction of permanent affordable
111 housing.

112 (2) After completing an inventory list, the board of
113 county commissioners shall hold at least two public hearings to
114 discuss the inventory list and staff's recommendation concerning
115 which properties are appropriate for use as affordable housing.
116 The board shall comply with the provisions of s. 125.66(4)(b)1.
117 regarding the advertisement of the public hearings and shall
118 hold the first hearing no later than 30 days after completing
119 the inventory list. The board shall approve the inventory list
120 through the adoption of a resolution at the second hearing no
121 later than 6 months after completing the inventory list.

122 (3) After the inventory list has been approved by
123 resolution, the board of county commissioners shall immediately
124 make available any real property that has been identified in the
125 inventory list as appropriate for use as affordable housing. The
126 county shall make the surplus real property available to:

127 (a) A private developer if the purchase price paid by the
128 developer is not less than the appraised value of the property
129 based on its highest and best use and the real property is sold
130 with deed restrictions that require a specified percentage of
131 any project developed on the real property to provide affordable
132 housing for low-income and moderate-income persons, with a
133 minimum of 10 percent of the units in the project available for
134 low-income persons and another 10 percent of the units available
135 for moderate-income persons for a total minimum of 20 percent,

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136 or, if providing rental housing or a combination of rental
137 housing and homeownership, an additional 5 percent of the units
138 available for very-low-income persons for a total minimum of 25
139 percent;

140 (b) A private developer without any requirement that a
141 percentage of the units built on the real property be affordable
142 if the purchase price paid by the developer is not less than the
143 appraised value of the property based on its highest and best
144 use, in which case the county must use the funds received from
145 the developer to acquire real property on which affordable
146 housing will be built or donate the funds to the Local
147 Government Housing Trust Fund for the purpose of implementing
148 the programs described in ss. 420.907-420.9079; or

149 (c) A nonprofit housing organization, such as a community
150 land trust, housing authority, or community redevelopment agency
151 to be used for the production and preservation of permanent
152 affordable housing.

153 (4) The deed restrictions required under paragraph (3) (a)
154 for an affordable housing unit must also prohibit the sale of
155 the unit at a price that exceeds the threshold for housing that
156 is affordable for low-income or moderate-income persons or to a
157 buyer who is not eligible due to his or her income under chapter
158 420. The deed restrictions may allow the affordable housing
159 units created under paragraph (3) (a) to be rented to very-low-
160 income, low-income, or moderate-income persons.

161 (5) For purposes of this section, the terms "affordable,"
162 "low-income persons," "moderate-income persons," and "very-low-
163 income persons" have the same meaning as in s. 420.0004.

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164 Section 2. Paragraphs (d), (e), and (f) of subsection (2)
165 of section 163.31771, Florida Statutes, are amended to read:

166 163.31771 Accessory dwelling units.--

167 (2) As used in this section, the term:

168 (d) "Low-income persons" has the same meaning as in s.
169 420.0004 (10) ~~(9)~~.

170 (e) "Moderate-income persons" has the same meaning as in
171 s. 420.0004 (11) ~~(10)~~.

172 (f) "Very-low-income persons" has the same meaning as in
173 s. 420.0004 (15) ~~(14)~~.

174 Section 3. Paragraph (c) of subsection (1) of section
175 163.3187, Florida Statutes, is amended to read:

176 163.3187 Amendment of adopted comprehensive plan.--

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

180 (c) Any local government comprehensive plan amendments
181 directly related to proposed small scale development activities
182 may be approved without regard to statutory limits on the
183 frequency of consideration of amendments to the local
184 comprehensive plan. A small scale development amendment may be
185 adopted only under the following conditions:

186 1. The proposed amendment involves a use of 10 acres or
187 fewer and:

188 a. The cumulative annual effect of the acreage for all
189 small scale development amendments adopted by the local
190 government shall not exceed:

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191 (I) A maximum of 120 acres in a local government that
192 contains areas specifically designated in the local
193 comprehensive plan for urban infill, urban redevelopment, or
194 downtown revitalization as defined in s. 163.3164, urban infill
195 and redevelopment areas designated under s. 163.2517,
196 transportation concurrency exception areas approved pursuant to
197 s. 163.3180(5), or regional activity centers and urban central
198 business districts approved pursuant to s. 380.06(2)(e);
199 however, amendments under this paragraph may be applied to no
200 more than 60 acres annually of property outside the designated
201 areas listed in this sub-sub-subparagraph. Amendments adopted
202 pursuant to paragraph (k) shall not be counted toward the
203 acreage limitations for small scale amendments under this
204 paragraph.

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

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

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

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

215 d. The proposed amendment does not involve a text change
216 to the goals, policies, and objectives of the local government's
217 comprehensive plan, but only proposes a land use change to the

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218 future land use map for a site-specific small scale development
219 activity.

220 e. The property that is the subject of the proposed
221 amendment is not located within an area of critical state
222 concern, unless the project subject to the proposed amendment
223 involves the construction of affordable housing units meeting
224 the criteria of s. 420.0004(3), and is located within an area of
225 critical state concern designated by s. 380.0552 or by the
226 Administration Commission pursuant to s. 380.05(1). Such
227 amendment is not subject to the density limitations of sub-
228 subparagraph f., and shall be reviewed by the state land
229 planning agency for consistency with the principles for guiding
230 development applicable to the area of critical state concern
231 where the amendment is located and shall not become effective
232 until a final order is issued under s. 380.05(6).

233 f. If the proposed amendment involves a residential land
234 use, the residential land use has a density of 10 units or less
235 per acre or the proposed future land use category allows a
236 maximum residential density of the same or less than the maximum
237 residential density allowable under the existing future land use
238 category, except that this limitation does not apply to small
239 scale amendments involving the construction of affordable
240 housing units meeting the criteria of s. 420.0004(3) on property
241 which will be the subject of a land use restriction agreement ~~or~~
242 ~~extended use agreement recorded in conjunction with the issuance~~
243 ~~of tax exempt bond financing or an allocation of federal tax~~
244 ~~credits issued through the Florida Housing Finance Corporation~~
245 ~~or a local housing finance authority authorized by the Division~~

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246 | ~~of Bond Finance of the State Board of Administration~~, or small
 247 | scale amendments described in sub-sub-subparagraph a.(I) that
 248 | are designated in the local comprehensive plan for urban infill,
 249 | urban redevelopment, or downtown revitalization as defined in s.
 250 | 163.3164, urban infill and redevelopment areas designated under
 251 | s. 163.2517, transportation concurrency exception areas approved
 252 | pursuant to s. 163.3180(5), or regional activity centers and
 253 | urban central business districts approved pursuant to s.
 254 | 380.06(2)(e).

255 | 2.a. A local government that proposes to consider a plan
 256 | amendment pursuant to this paragraph is not required to comply
 257 | with the procedures and public notice requirements of s.
 258 | 163.3184(15)(c) for such plan amendments if the local government
 259 | complies with the provisions in s. 125.66(4)(a) for a county or
 260 | in s. 166.041(3)(c) for a municipality. If a request for a plan
 261 | amendment under this paragraph is initiated by other than the
 262 | local government, public notice is required.

263 | b. The local government shall send copies of the notice
 264 | and amendment to the state land planning agency, the regional
 265 | planning council, and any other person or entity requesting a
 266 | copy. This information shall also include a statement
 267 | identifying any property subject to the amendment that is
 268 | located within a coastal high-hazard area as identified in the
 269 | local comprehensive plan.

270 | 3. Small scale development amendments adopted pursuant to
 271 | this paragraph require only one public hearing before the
 272 | governing board, which shall be an adoption hearing as described
 273 | in s. 163.3184(7), and are not subject to the requirements of s.

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274 163.3184(3)-(6) unless the local government elects to have them
275 subject to those requirements.

276 4. If the small scale development amendment involves a
277 site within an area that is designated by the Governor as a
278 rural area of critical economic concern under s. 288.0656(7) for
279 the duration of such designation, the 10-acre limit listed in
280 subparagraph 1. shall be increased by 100 percent to 20 acres.
281 The local government approving the small scale plan amendment
282 shall certify to the Office of Tourism, Trade, and Economic
283 Development that the plan amendment furthers the economic
284 objectives set forth in the executive order issued under s.
285 288.0656(7), and the property subject to the plan amendment
286 shall undergo public review to ensure that all concurrency
287 requirements and federal, state, and local environmental permit
288 requirements are met.

289 Section 4. Section 166.0451, Florida Statutes, is created
290 to read:

291 166.0451 Disposition of municipal property for affordable
292 housing.--

293 (1) By January 1, 2007, and every 3 years thereafter, each
294 municipality shall prepare an inventory list of all real
295 property within its jurisdiction to which the municipality holds
296 fee simple title. The inventory list must include the address
297 and legal description of each property and specify whether the
298 property is vacant or improved. Municipal planning staff shall
299 review the inventory list and identify each real property that
300 is appropriate for use as affordable housing. The time for
301 preparing the inventory list and its review by municipal

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302 planning staff may not exceed 6 months. The properties
303 identified as appropriate for use as affordable housing may be
304 offered for sale and the proceeds used to purchase land for the
305 development of affordable housing or donated to the Local
306 Government Housing Trust Fund, sold with a restriction that
307 requires any development on the property to include a specified
308 percentage of permanent affordable housing, or donated to a
309 nonprofit housing organization for the construction of permanent
310 affordable housing.

311 (2) Upon completing an inventory list in compliance with
312 this section, the governing body of the municipality shall hold
313 at least two public hearings to discuss the inventory list and
314 the recommendation of the staff concerning which properties are
315 appropriate for use as affordable housing. The governing body
316 shall comply with s. 166.041(3)(c)2.a. regarding the
317 advertisement of the public hearings and shall hold the first
318 hearing no later than 30 days after completing the inventory
319 list. The governing body shall approve the inventory list
320 through the adoption of a resolution at the second hearing no
321 later than 6 months after completing the inventory list.

322 (3) After the inventory list has been approved by
323 resolution, the governing body of the municipality shall
324 immediately make available any real property that has been
325 identified in the inventory list as appropriate for use as
326 affordable housing. The municipality shall make the surplus real
327 property available to:

328 (a) A private developer if the purchase price paid by the
329 developer is not less than the appraised value of the property

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330 based on its highest and best use and the real property is sold
331 with deed restrictions that require a specified percentage of
332 any project developed on the real property to provide affordable
333 housing for low-income and moderate-income persons, with a
334 minimum of 10 percent of the units in the project available for
335 low-income persons and another 10 percent of the units available
336 for moderate-income persons for a total minimum of 20 percent,
337 or, if providing rental housing or a combination of rental
338 housing and homeownership, an additional 5 percent of the units
339 available for very-low-income persons for a total minimum of 25
340 percent;

341 (b) A private developer without any requirement that a
342 percentage of the units built on the real property be affordable
343 if the purchase price paid by the developer is not less than the
344 appraised value of the property based on its highest and best
345 use, in which case the municipality must use the funds received
346 from the developer to acquire real property on which affordable
347 housing will be built or donate the funds to the Local
348 Government Housing Trust Fund for the purpose of implementing
349 the programs described in ss. 420.907-420.9079; or

350 (c) A nonprofit housing organization, such as a community
351 land trust, housing authority, or community land trust, housing
352 authority, or community redevelopment agency to be used for the
353 production and preservation of permanently affordable housing.

354 (4) The deed restrictions required under paragraph (3) (a)
355 for an affordable housing unit must also prohibit the sale of
356 the unit at a price that exceeds the threshold for housing that
357 is affordable for low-income or moderate-income persons or to a

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358 buyer who is not eligible due to his or her income under chapter
359 420. The deed restrictions may allow the affordable housing
360 units created under paragraph (3)(a) to be rented to very-low-
361 income, low-income, or moderate-income persons.

362 (5) For purposes of this section, the terms "affordable,"
363 "low-income persons," "moderate-income persons," and "very-low-
364 income persons" have the same meaning as in s. 420.0004.

365 Section 5. Subsection (6) is added to section 189.4155,
366 Florida Statutes, to read:

367 189.4155 Activities of special districts; local government
368 comprehensive planning.--

369 (6) Any independent special district created pursuant to
370 special act or general law, including, but not limited to, this
371 chapter and chapters 190, 191, and 298, for the purpose of
372 providing urban infrastructure of services, is authorized to
373 provide housing and housing assistance for its employed
374 personnel.

375 Section 6. Subsection (19) is added to section 191.006,
376 Florida Statutes, to read:

377 191.006 General powers.--The district shall have, and the
378 board may exercise by majority vote, the following powers:

379 (19) To provide housing or housing assistance for its
380 employed personnel.

381 Section 7. Subsection (5) is added to section 193.017,
382 Florida Statutes, to read:

383 193.017 Low-income housing tax credit.--Property used for
384 affordable housing which has received a low-income housing tax
385 credit from the Florida Housing Finance Corporation, as

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386 authorized by s. 420.5099, shall be assessed under s. 193.011
387 and, consistent with s. 420.5099(5) and (6), pursuant to this
388 section.

389 (5) If a cap rate is used to assess just valuation for the
390 property, the appraiser shall use a cap rate calculated annually
391 for affordable housing properties authorized by the Florida
392 Housing Finance Corporation and approved by the Department of
393 Revenue.

394 Section 8. Section 196.1978, Florida Statutes, is amended
395 to read:

396 196.1978 Affordable housing property exemption.--

397 (1) Property used to provide affordable housing serving
398 eligible persons as defined by s. 159.603(7) and persons meeting
399 income limits specified in s. 420.0004~~(10)(9)~~, ~~(11)(10)~~, and
400 ~~(15)(14)~~, which property is owned entirely by a nonprofit entity
401 which is qualified as charitable under s. 501(c)(3) of the
402 Internal Revenue Code and which complies with Rev. Proc. 96-32,
403 1996-1 C.B. 717, shall be considered property owned by an exempt
404 entity and used for a charitable purpose, and those portions of
405 the affordable housing property which provide housing to
406 individuals with incomes as defined in s. 420.0004~~(10)(9)~~ and
407 ~~(15)(14)~~ shall be exempt from ad valorem taxation to the extent
408 authorized in s. 196.196.

409 (2) For the purposes of this section, ownership entirely
410 by a nonprofit entity is classified as ownership by either:

411 (a) A corporation not for profit; or

412 (b) A Florida limited partnership the sole general partner
413 of which is either a corporation not for profit or a Florida

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414 limited liability company the sole member of which is a
415 corporation not for profit.

416 (3) All property identified in this section shall comply
417 with the criteria for determination of exempt status to be
418 applied by property appraisers on an annual basis as defined in
419 s. 196.195. The Legislature intends that any property owned by a
420 limited liability company which is disregarded as an entity for
421 federal income tax purposes pursuant to Treasury Regulation
422 301.7701-3(b)(1)(ii) shall be treated as owned by its sole
423 member.

424 Section 9. Section 196.1980, Florida Statutes, is created
425 to read:

426 196.1980 The Manny Diaz Affordable Housing Property Tax
427 Relief Initiative.--For the purpose of assessing just valuation
428 of affordable housing properties serving persons with income
429 limits defined as low, moderate, and very low, as specified in
430 s. 420.0004(10), (11), and (15), the actual rental income from
431 rent-restricted units in such a property shall be recognized by
432 the property appraiser for assessment purposes, and an income
433 approach shall be used for assessment of the rents for the
434 following properties:

435 (1) Property that is funded by the United States
436 Department of Housing and Urban Development under s. 8 of the
437 United States Housing Act of 1937 that is used to provide
438 affordable housing serving eligible persons as defined by s.
439 159.603(7) and elderly and very-low-income persons as defined by
440 s. 420.0004(8) and (15) and that has undergone financial
441 restructuring as provided in s. 501, Title V, Subtitle A of the

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442 Multifamily Assisted Housing Reform and Affordability Act of
443 1997;

444 (2) Multifamily, farmworker, or elderly rental properties
445 that are funded by the Florida Housing Finance Corporation under
446 ss. 420.5087 and 420.5089 and the State Housing Initiatives
447 Partnership Program under ss. 420.9072 and 420.9075, s. 42 of
448 the Internal Revenue Code; the HOME Investment Partnership
449 Program under the Cranston-Gonzalez National Affordable Housing
450 Act, 42 U.S.C. s. 12741 et seq.; or the Federal Home Loan Banks
451 Affordable Housing Program established pursuant to the Financial
452 Institutions Reform, Recovery and Enforcement Act of 1989, Pub.
453 L. No. 101-73; or

454 (3) Multifamily residential rental properties of 10 or
455 more units that are certified by the local housing agency as
456 having at least 95 percent of its units providing affordable
457 housing to low, moderate, and very-low-income persons as defined
458 by s. 420.0004(10), (11), and (15).

459 Section 10. Effective July 1, 2007, subsections (9) and
460 (10) of section 201.15, Florida Statutes, as amended by section
461 1 of chapter 2005-92, Laws of Florida, are amended to read:

462 201.15 Distribution of taxes collected.--All taxes
463 collected under this chapter shall be distributed as follows and
464 shall be subject to the service charge imposed in s. 215.20(1),
465 except that such service charge shall not be levied against any
466 portion of taxes pledged to debt service on bonds to the extent
467 that the amount of the service charge is required to pay any
468 amounts relating to the bonds:

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469 (9) ~~The lesser of~~ Seven and fifty-three hundredths percent
470 of the remaining taxes collected under this chapter ~~or \$107~~
471 ~~million~~ in each fiscal year shall be paid into the State
472 Treasury to the credit of the State Housing Trust Fund and shall
473 be used as follows:

474 (a) Half of that amount shall be used for the purposes for
475 which the State Housing Trust Fund was created and exists by
476 law.

477 (b) Half of that amount shall be paid into the State
478 Treasury to the credit of the Local Government Housing Trust
479 Fund and shall be used for the purposes for which the Local
480 Government Housing Trust Fund was created and exists by law.

481 (10) ~~The lesser of~~ Eight and sixty-six hundredths percent
482 of the remaining taxes collected under this chapter ~~or \$136~~
483 ~~million~~ in each fiscal year shall be paid into the State
484 Treasury to the credit of the State Housing Trust Fund and shall
485 be used as follows:

486 (a) Twelve and one-half percent of that amount shall be
487 deposited into the State Housing Trust Fund and be expended by
488 the Department of Community Affairs and by the Florida Housing
489 Finance Corporation for the purposes for which the State Housing
490 Trust Fund was created and exists by law.

491 (b) Eighty-seven and one-half percent of that amount shall
492 be distributed to the Local Government Housing Trust Fund and
493 shall be used for the purposes for which the Local Government
494 Housing Trust Fund was created and exists by law. Funds from
495 this category may also be used to provide for state and local
496 services to assist the homeless.

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497 Section 11. Paragraphs (o) and (q) of subsection (5) of
498 section 212.08, Florida Statutes, are amended to read:

499 212.08 Sales, rental, use, consumption, distribution, and
500 storage tax; specified exemptions.--The sale at retail, the
501 rental, the use, the consumption, the distribution, and the
502 storage to be used or consumed in this state of the following
503 are hereby specifically exempt from the tax imposed by this
504 chapter.

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

506 (o) Building materials in redevelopment projects.--

507 1. As used in this paragraph, the term:

508 a. "Building materials" means tangible personal property
509 that becomes a component part of a housing project or a mixed-
510 use project.

511 b. "Housing project" means the conversion of an existing
512 manufacturing or industrial building to housing units in an
513 urban high-crime area, enterprise zone, empowerment zone, Front
514 Porch Community, designated brownfield area, or urban infill
515 area and in which the developer agrees to set aside at least 20
516 percent of the housing units in the project for low-income and
517 moderate-income persons or the construction in a designated
518 brownfield area of affordable housing for persons described in
519 s. 420.0004 (10) ~~(9)~~, (11) ~~(10)~~, or (15) ~~(14)~~, or in s. 159.603(7).

520 c. "Mixed-use project" means the conversion of an existing
521 manufacturing or industrial building to mixed-use units that
522 include artists' studios, art and entertainment services, or
523 other compatible uses. A mixed-use project must be located in an
524 urban high-crime area, enterprise zone, empowerment zone, Front

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525 | Porch Community, designated brownfield area, or urban infill
526 | area, and the developer must agree to set aside at least 20
527 | percent of the square footage of the project for low-income and
528 | moderate-income housing.

529 | d. "Substantially completed" has the same meaning as
530 | provided in s. 192.042(1).

531 | 2. Building materials used in the construction of a
532 | housing project or mixed-use project are exempt from the tax
533 | imposed by this chapter upon an affirmative showing to the
534 | satisfaction of the department that the requirements of this
535 | paragraph have been met. This exemption inures to the owner
536 | through a refund of previously paid taxes. To receive this
537 | refund, the owner must file an application under oath with the
538 | department which includes:

539 | a. The name and address of the owner.

540 | b. The address and assessment roll parcel number of the
541 | project for which a refund is sought.

542 | c. A copy of the building permit issued for the project.

543 | d. A certification by the local building code inspector
544 | that the project is substantially completed.

545 | e. A sworn statement, under penalty of perjury, from the
546 | general contractor licensed in this state with whom the owner
547 | contracted to construct the project, which statement lists the
548 | building materials used in the construction of the project and
549 | the actual cost thereof, and the amount of sales tax paid on
550 | these materials. If a general contractor was not used, the owner
551 | shall provide this information in a sworn statement, under

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552 | penalty of perjury. Copies of invoices evidencing payment of
553 | sales tax must be attached to the sworn statement.

554 | 3. An application for a refund under this paragraph must
555 | be submitted to the department within 6 months after the date
556 | the project is deemed to be substantially completed by the local
557 | building code inspector. Within 30 working days after receipt of
558 | the application, the department shall determine if it meets the
559 | requirements of this paragraph. A refund approved pursuant to
560 | this paragraph shall be made within 30 days after formal
561 | approval of the application by the department. The provisions of
562 | s. 212.095 do not apply to any refund application made under
563 | this paragraph.

564 | 4. The department shall establish by rule an application
565 | form and criteria for establishing eligibility for exemption
566 | under this paragraph.

567 | 5. The exemption shall apply to purchases of materials on
568 | or after July 1, 2000.

569 | (q) Community contribution tax credit for donations.--

570 | 1. Authorization.--~~Beginning July 1, 2001,~~ Persons who are
571 | registered with the department under s. 212.18 to collect or
572 | remit sales or use tax and who make donations to eligible
573 | sponsors are eligible for tax credits against their state sales
574 | and use tax liabilities as provided in this paragraph:

575 | a. The credit shall be computed as 50 percent of the
576 | person's approved annual community contribution.+

577 | b. The credit shall be granted as a refund against state
578 | sales and use taxes reported on returns and remitted in the 12
579 | months preceding the date of application to the department for

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580 the credit as required in sub-subparagraph 3.c. If the annual
581 credit is not fully used through such refund because of
582 insufficient tax payments during the applicable 12-month period,
583 the unused amount may be included in an application for a refund
584 made pursuant to sub-subparagraph 3.c. in subsequent years
585 against the total tax payments made for such year. Carryover
586 credits may be applied for a 3-year period without regard to any
587 time limitation that would otherwise apply under s. 215.26.~~†~~

588 c. A person may not receive more than \$200,000 in annual
589 tax credits for all approved community contributions made in any
590 one year.~~†~~

591 d. All proposals for the granting of the tax credit
592 require the prior approval of the Office of Tourism, Trade, and
593 Economic Development.~~†~~

594 e. The total amount of tax credits which may be granted
595 for all programs approved under this paragraph, s. 220.183, and
596 s. 624.5105 is \$10 ~~\$12~~ million annually for projects that
597 provide homeownership opportunities for low-income or very-low-
598 income households as defined in s. 420.9071(19) and (28) and \$3
599 million annually for all other projects.~~†~~ ~~and~~

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

603 2. Eligibility requirements.--

604 a. A community contribution by a person must be in the
605 following form:

606 (I) Cash or other liquid assets;

607 (II) Real property;

608 (III) Goods or inventory; or
 609 (IV) Other physical resources as identified by the Office
 610 of Tourism, Trade, and Economic Development.
 611 b. All community contributions must be reserved
 612 exclusively for use in a project. As used in this sub-
 613 subparagraph, the term "project" means any activity undertaken
 614 by an eligible sponsor which is designed to construct, improve,
 615 or substantially rehabilitate housing that is affordable to low-
 616 income or very-low-income households as defined in s.
 617 420.9071(19) and (28); designed to provide commercial,
 618 industrial, or public resources and facilities; or designed to
 619 improve entrepreneurial and job-development opportunities for
 620 low-income persons. A project may be the investment necessary to
 621 increase access to high-speed broadband capability in rural
 622 communities with enterprise zones, including projects that
 623 result in improvements to communications assets that are owned
 624 by a business. A project may include the provision of museum
 625 educational programs and materials that are directly related to
 626 any project approved between January 1, 1996, and December 31,
 627 1999, and located in an enterprise zone designated pursuant to
 628 s. 290.0065. This paragraph does not preclude projects that
 629 propose to construct or rehabilitate housing for low-income or
 630 very-low-income households on scattered sites. With respect to
 631 housing, contributions may be used to pay the following eligible
 632 low-income and very-low-income housing-related activities:
 633 (I) Project development impact and management fees for
 634 low-income or very-low-income housing projects;

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- 635 (II) Down payment and closing costs for eligible persons,
 636 as defined in s. 420.9071(19) and (28);
- 637 (III) Administrative costs, including housing counseling
 638 and marketing fees, not to exceed 10 percent of the community
 639 contribution, directly related to low-income or very-low-income
 640 projects; and
- 641 (IV) Removal of liens recorded against residential
 642 property by municipal, county, or special district local
 643 governments when satisfaction of the lien is a necessary
 644 precedent to the transfer of the property to an eligible person,
 645 as defined in s. 420.9071(19) and (28), for the purpose of
 646 promoting home ownership. Contributions for lien removal must be
 647 received from a nonrelated third party.
- 648 c. The project must be undertaken by an "eligible
 649 sponsor," which includes:
- 650 (I) A community action program;
- 651 (II) A nonprofit community-based development organization
 652 whose mission is the provision of housing for low-income or
 653 very-low-income households or increasing entrepreneurial and
 654 job-development opportunities for low-income persons;
- 655 (III) A neighborhood housing services corporation;
- 656 (IV) A local housing authority created under chapter 421;
- 657 (V) A community redevelopment agency created under s.
 658 163.356;
- 659 (VI) The Florida Industrial Development Corporation;
- 660 (VII) A historic preservation district agency or
 661 organization;
- 662 (VIII) A regional workforce board;

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- 663 (IX) A direct-support organization as provided in s.
- 664 1009.983;
- 665 (X) An enterprise zone development agency created under s.
- 666 290.0056;
- 667 (XI) A community-based organization incorporated under
- 668 chapter 617 which is recognized as educational, charitable, or
- 669 scientific pursuant to s. 501(c)(3) of the Internal Revenue Code
- 670 and whose bylaws and articles of incorporation include
- 671 affordable housing, economic development, or community
- 672 development as the primary mission of the corporation;
- 673 (XII) Units of local government;
- 674 (XIII) Units of state government; or
- 675 (XIV) Any other agency that the Office of Tourism, Trade,
- 676 and Economic Development designates by rule.

677
678 In no event may a contributing person have a financial interest
679 in the eligible sponsor.

680 d. The project must be located in an area designated an
681 enterprise zone or a Front Porch Florida Community pursuant to
682 s. 20.18(6), unless the project increases access to high-speed
683 broadband capability for rural communities with enterprise zones
684 but is physically located outside the designated rural zone
685 boundaries. Any project designed to construct or rehabilitate
686 housing for low-income or very-low-income households as defined
687 in s. 420.0971(19) and (28) is exempt from the area requirement
688 of this sub-subparagraph.

689 ~~e.(I) For the first 6 months of the fiscal year, the~~
690 ~~Office of Tourism, Trade, and Economic Development shall reserve~~

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691 ~~80 percent of the first \$10 million in available annual tax~~
692 ~~credits and 70 percent of any available annual tax credits in~~
693 ~~excess of \$10 million for donations made to eligible sponsors~~
694 ~~for projects that provide homeownership opportunities for low-~~
695 ~~income or very low income households as defined in s.~~
696 ~~420.9071(19) and (28). If any such reserved annual tax credits~~
697 ~~remain after the first 6 months of the fiscal year, the office~~
698 ~~may approve the balance of these available credits for donations~~
699 ~~made to eligible sponsors for projects other than those that~~
700 ~~provide homeownership opportunities for low income or very low-~~
701 ~~income households.~~

702 ~~(II) For the first 6 months of the fiscal year, the office~~
703 ~~shall reserve 20 percent of the first \$10 million in available~~
704 ~~annual tax credits and 30 percent of any available annual tax~~
705 ~~credits in excess of \$10 million for donations made to eligible~~
706 ~~sponsors for projects other than those that provide~~
707 ~~homeownership opportunities for low income or very low income~~
708 ~~households as defined in s. 420.9071(19) and (28). If any~~
709 ~~reserved annual tax credits remain after the first 6 months of~~
710 ~~the fiscal year, the office may approve the balance of these~~
711 ~~available credits for donations made to eligible sponsors for~~
712 ~~projects that provide homeownership opportunities for low income~~
713 ~~or very low income households.~~

714 ~~(I)-(III)~~ If, during the first 10 business days of the
715 state fiscal year, eligible tax credit applications for projects
716 that provide homeownership opportunities for low-income or very-
717 low-income households as defined in s. 420.9071(19) and (28) are
718 received for less than the available annual tax credits

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719 available for those projects reserved under sub-sub-subparagraph
 720 ~~(I)~~, the office shall grant tax credits for those applications
 721 and shall grant remaining tax credits on a first-come, first-
 722 served basis for any subsequent eligible applications received
 723 before the end of the ~~first 6 months of the~~ state fiscal year.
 724 If, during the first 10 business days of the state fiscal year,
 725 eligible tax credit applications for projects that provide
 726 homeownership opportunities for low-income or very-low-income
 727 households as defined in s. 420.9071(19) and (28) are received
 728 for more than the ~~available~~ annual tax credits available for
 729 those projects reserved under sub-sub-subparagraph (I), the
 730 office shall grant the tax credits for those ~~the~~ applications as
 731 follows:

732 (A) If tax credit applications submitted for approved
 733 projects of an eligible sponsor do not exceed \$200,000 in total,
 734 the credits shall be granted in full if the tax credit
 735 applications are approved, ~~subject to sub-sub-subparagraph (I)~~.

736 (B) If tax credit applications submitted for approved
 737 projects of an eligible sponsor exceed \$200,000 in total, the
 738 amount of tax credits granted pursuant to sub-sub-sub-
 739 subparagraph (A) shall be subtracted from the amount of
 740 available tax credits ~~under sub-sub-subparagraph (I)~~, and the
 741 remaining credits shall be granted to each approved tax credit
 742 application on a pro rata basis.

743 ~~(C) If, after the first 6 months of the fiscal year,~~
 744 ~~additional credits become available under sub-sub-subparagraph~~
 745 ~~(II), the office shall grant the tax credits by first granting~~
 746 ~~to those who received a pro rata reduction up to the full amount~~

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747 ~~of their request and, if there are remaining credits, granting~~
748 ~~credits to those who applied on or after the 11th business day~~
749 ~~of the state fiscal year on a first-come, first-served basis.~~

750 (II)~~(IV)~~ If, during the first 10 business days of the
751 state fiscal year, eligible tax credit applications for projects
752 other than those that provide homeownership opportunities for
753 low-income or very-low-income households as defined in s.
754 420.9071(19) and (28) are received for less than the available
755 annual tax credits available for those projects ~~reserved under~~
756 ~~sub-sub-subparagraph (II)~~, the office shall grant tax credits
757 for those applications and shall grant remaining tax credits on
758 a first-come, first-served basis for any subsequent eligible
759 applications received before the end of ~~the first 6 months of~~
760 the state fiscal year. If, during the first 10 business days of
761 the state fiscal year, eligible tax credit applications for
762 projects other than those that provide homeownership
763 opportunities for low-income or very-low-income households as
764 defined in s. 420.9071(19) and (28) are received for more than
765 the available annual tax credits available for those projects
766 ~~reserved under sub-sub-subparagraph (II)~~, the office shall grant
767 the tax credits for those ~~the~~ applications on a pro rata basis.
768 ~~If, after the first 6 months of the fiscal year, additional~~
769 ~~credits become available under sub-sub-subparagraph (I), the~~
770 ~~office shall grant the tax credits by first granting to those~~
771 ~~who received a pro rata reduction up to the full amount of their~~
772 ~~request and, if there are remaining credits, granting credits to~~
773 ~~those who applied on or after the 11th business day of the state~~
774 ~~fiscal year on a first-come, first-served basis.~~

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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775 3. Application requirements.--

776 a. Any eligible sponsor seeking to participate in this
777 program must submit a proposal to the Office of Tourism, Trade,
778 and Economic Development which sets forth the name of the
779 sponsor, a description of the project, and the area in which the
780 project is located, together with such supporting information as
781 is prescribed by rule. The proposal must also contain a
782 resolution from the local governmental unit in which the project
783 is located certifying that the project is consistent with local
784 plans and regulations.

785 b. Any person seeking to participate in this program must
786 submit an application for tax credit to the office ~~of Tourism,~~
787 ~~Trade, and Economic Development~~ which sets forth the name of the
788 sponsor, a description of the project, and the type, value, and
789 purpose of the contribution. The sponsor shall verify the terms
790 of the application and indicate its receipt of the contribution,
791 which verification must be in writing and accompany the
792 application for tax credit. The person must submit a separate
793 tax credit application to the office for each individual
794 contribution that it makes to each individual project.

795 c. Any person who has received notification from the
796 office ~~of Tourism, Trade, and Economic Development~~ that a tax
797 credit has been approved must apply to the department to receive
798 the refund. Application must be made on the form prescribed for
799 claiming refunds of sales and use taxes and be accompanied by a
800 copy of the notification. A person may submit only one
801 application for refund to the department within any 12-month
802 period.

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803 4. Administration.--

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

808 b. The decision of the office ~~of Tourism, Trade, and~~
809 ~~Economic Development~~ must be in writing, and, if approved, the
810 notification shall state the maximum credit allowable to the
811 person. Upon approval, the office shall transmit a copy of the
812 decision to the Department of Revenue.

813 c. The office ~~of Tourism, Trade, and Economic Development~~
814 shall periodically monitor all projects in a manner consistent
815 with available resources to ensure that resources are used in
816 accordance with this paragraph; however, each project must be
817 reviewed at least once every 2 years.

818 d. The office ~~of Tourism, Trade, and Economic Development~~
819 shall, in consultation with the Department of Community Affairs,
820 ~~the Florida Housing Finance Corporation,~~ and the statewide and
821 regional housing and financial intermediaries, market the
822 availability of the community contribution tax credit program to
823 community-based organizations.

824 5. Expiration.--This paragraph expires June 30, 2015;
825 however, any accrued credit carryover that is unused on that
826 date may be used until the expiration of the 3-year carryover
827 period for such credit.

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

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831 220.183 Community contribution tax credit.--

832 (1) AUTHORIZATION TO GRANT COMMUNITY CONTRIBUTION TAX
833 CREDITS; LIMITATIONS ON INDIVIDUAL CREDITS AND PROGRAM
834 SPENDING.--

835 (c) The total amount of tax credit which may be granted
836 for all programs approved under this section, s. 212.08(5)(q),
837 and s. 624.5105 is \$10 ~~\$12~~ million annually for projects that
838 provide homeownership opportunities for low-income or very-low-
839 income households as defined in s. 420.9071(19) and (28) and \$3
840 million annually for all other projects.

841 (2) ELIGIBILITY REQUIREMENTS.--

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

844 ~~2. For the first 6 months of the fiscal year, the Office~~
845 ~~of Tourism, Trade, and Economic Development shall reserve 80~~
846 ~~percent of the first \$10 million in available annual tax~~
847 ~~credits, and 70 percent of any available annual tax credits in~~
848 ~~excess of \$10 million, for donations made to eligible sponsors~~
849 ~~for projects that provide homeownership opportunities for low-~~
850 ~~income or very low income households as defined in s.~~
851 ~~420.9071(19) and (28). If any reserved annual tax credits remain~~
852 ~~after the first 6 months of the fiscal year, the office may~~
853 ~~approve the balance of these available credits for donations~~
854 ~~made to eligible sponsors for projects other than those that~~
855 ~~provide homeownership opportunities for low income or very low-~~
856 ~~income households.~~

857 ~~3. For the first 6 months of the fiscal year, the office~~
858 ~~shall reserve 20 percent of the first \$10 million in available~~

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859 ~~annual tax credits, and 30 percent of any available annual tax~~
860 ~~credits in excess of \$10 million, for donations made to eligible~~
861 ~~sponsors for projects other than those that provide~~
862 ~~homeownership opportunities for low income or very low income~~
863 ~~households as defined in s. 420.9071(19) and (28). If any~~
864 ~~reserved annual tax credits remain after the first 6 months of~~
865 ~~the fiscal year, the office may approve the balance of these~~
866 ~~available credits for donations made to eligible sponsors for~~
867 ~~projects that provide homeownership opportunities for low income~~
868 ~~or very low income households.~~

869 2.4. If, during the first 10 business days of the state
870 fiscal year, eligible tax credit applications for projects that
871 provide homeownership opportunities for low-income or very-low-
872 income households as defined in s. 420.9071(19) and (28) are
873 received for less than the available annual tax credits
874 available for those projects reserved under subparagraph 2., the
875 office shall grant tax credits for those applications and shall
876 grant remaining tax credits on a first-come, first-served basis
877 for any subsequent eligible applications received before the end
878 of the ~~first 6 months of the state fiscal year~~. If, during the
879 first 10 business days of the state fiscal year, eligible tax
880 credit applications for projects that provide homeownership
881 opportunities for low-income or very-low-income households as
882 defined in s. 420.9071(19) and (28) are received for more than
883 the available annual tax credits available for those projects
884 ~~reserved under subparagraph 2.~~, the office shall grant the tax
885 credits for those such applications as follows:

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886 a. If tax credit applications submitted for approved
887 projects of an eligible sponsor do not exceed \$200,000 in total,
888 the credit shall be granted in full if the tax credit
889 applications are approved, ~~subject to the provisions of~~
890 ~~subparagraph 2.~~

891 b. If tax credit applications submitted for approved
892 projects of an eligible sponsor exceed \$200,000 in total, the
893 amount of tax credits granted under sub-subparagraph a. shall be
894 subtracted from the amount of available tax credits ~~under~~
895 ~~subparagraph 2.~~, and the remaining credits shall be granted to
896 each approved tax credit application on a pro rata basis.

897 ~~e. If, after the first 6 months of the fiscal year,~~
898 ~~additional credits become available pursuant to subparagraph 3.,~~
899 ~~the office shall grant the tax credits by first granting to~~
900 ~~those who received a pro rata reduction up to the full amount of~~
901 ~~their request and, if there are remaining credits, granting~~
902 ~~credits to those who applied on or after the 11th business day~~
903 ~~of the state fiscal year on a first come, first served basis.~~

904 3.5. If, during the first 10 business days of the state
905 fiscal year, eligible tax credit applications for projects other
906 than those that provide homeownership opportunities for low-
907 income or very-low-income households as defined in s.
908 420.9071(19) and (28) are received for less than the available
909 annual tax credits available for those projects ~~reserved under~~
910 ~~subparagraph 3.~~, the office shall grant tax credits for those
911 applications and shall grant remaining tax credits on a first-
912 come, first-served basis for any subsequent eligible
913 applications received before the end of the ~~first 6 months of~~

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914 ~~the~~ state fiscal year. If, during the first 10 business days of
915 the state fiscal year, eligible tax credit applications for
916 projects other than those that provide homeownership
917 opportunities for low-income or very-low-income households as
918 defined in s. 420.9071(19) and (28) are received for more than
919 the ~~available~~ annual tax credits available for those projects
920 ~~reserved under subparagraph 3.~~, the office shall grant the tax
921 credits for those ~~such~~ applications on a pro rata basis. ~~If,~~
922 ~~after the first 6 months of the fiscal year, additional credits~~
923 ~~become available under subparagraph 2., the office shall grant~~
924 ~~the tax credits by first granting to those who received a pro~~
925 ~~rata reduction up to the full amount of their request and, if~~
926 ~~there are remaining credits, granting credits to those who~~
927 ~~applied on or after the 11th business day of the state fiscal~~
928 ~~year on a first come, first served basis.~~

929 Section 13. Paragraph (f) of subsection (6) of section
930 253.034, Florida Statutes, is amended to read:

931 253.034 State-owned lands; uses.--

932 (6) The Board of Trustees of the Internal Improvement
933 Trust Fund shall determine which lands, the title to which is
934 vested in the board, may be surplused. For conservation lands,
935 the board shall make a determination that the lands are no
936 longer needed for conservation purposes and may dispose of them
937 by an affirmative vote of at least three members. In the case of
938 a land exchange involving the disposition of conservation lands,
939 the board must determine by an affirmative vote of at least
940 three members that the exchange will result in a net positive
941 conservation benefit. For all other lands, the board shall make

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942 a determination that the lands are no longer needed and may
943 dispose of them by an affirmative vote of at least three
944 members.

945 (f)1. In reviewing lands owned by the board, the council
946 shall consider whether such lands would be more appropriately
947 owned or managed by the county or other unit of local government
948 in which the land is located. A local government may request
949 that state lands be specifically declared surplus lands for the
950 purpose of providing affordable housing. The council shall
951 recommend to the board whether a sale, lease, or other
952 conveyance to a local government would be in the best interests
953 of the state and local government. The provisions of this
954 paragraph in no way limit the provisions of ss. 253.111 and
955 253.115. Such lands shall be offered to the state, county, or
956 local government for a period of 30 days. Permittable uses for
957 such surplus lands may include public schools; public libraries;
958 fire or law enforcement substations; ~~and~~ governmental, judicial,
959 or recreational centers; and affordable housing. County or local
960 government requests for surplus lands shall be expedited
961 throughout the surplusing process. Surplus lands that are
962 conveyed to a local government for affordable housing shall be
963 disposed of under the provisions of s. 125.379 or s. 166.0451.
964 If the county or local government does not elect to purchase
965 such lands in accordance with s. 253.111, then any surplusing
966 determination involving other governmental agencies shall be
967 made upon the board deciding the best public use of the lands.
968 Surplus properties in which governmental agencies have expressed

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969 | no interest shall then be available for sale on the private
970 | market.

971 | 2. Notwithstanding subparagraph 1., any surplus lands that
972 | were acquired by the state prior to 1958 by a gift or other
973 | conveyance for no consideration from a municipality, and which
974 | the department has filed by July 1, 2006, a notice of its intent
975 | to surplus, shall be first offered for reconveyance to such
976 | municipality at no cost, but for the fair market value of any
977 | building or other improvements to the land, unless otherwise
978 | provided in a deed restriction of record. This subparagraph
979 | expires July 1, 2006.

980 | Section 14. Section 295.16, Florida Statutes, is amended
981 | to read:

982 | 295.16 Disabled veterans exempt from certain license or
983 | permit fee.--No totally and permanently disabled veteran who is
984 | a resident of Florida and honorably discharged from the Armed
985 | Forces, who has been issued a valid identification card by the
986 | Department of Veterans' Affairs in accordance with s. 295.17 or
987 | has been determined by the United States Department of Veterans
988 | Affairs or its predecessor to have a service-connected 100-
989 | percent disability rating for compensation, or who has been
990 | determined to have a service-connected disability rating of 100
991 | percent and is in receipt of disability retirement pay from any
992 | branch of the uniformed armed services, shall be required to pay
993 | any license or permit fee, by whatever name known, to any county
994 | or municipality in order to make improvements upon a dwelling
995 | ~~mobile home~~ owned by the veteran which is used as the veteran's
996 | residence, provided such improvements are limited to ramps,

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997 widening of doors, and similar improvements for the purpose of
998 making the dwelling ~~mobile home~~ habitable for veterans confined
999 to wheelchairs.

1000 Section 15. Paragraphs (b) and (e) of subsection (19) of
1001 section 380.06, Florida Statutes, are amended to read:

1002 380.06 Developments of regional impact.--

1003 (19) SUBSTANTIAL DEVIATIONS.--

1004 (b) Any proposed change to a previously approved
1005 development of regional impact or development order condition
1006 which, either individually or cumulatively with other changes,
1007 exceeds any of the following criteria shall constitute a
1008 substantial deviation and shall cause the development to be
1009 subject to further development-of-regional-impact review without
1010 the necessity for a finding of same by the local government:

1011 1. An increase in the number of parking spaces at an
1012 attraction or recreational facility by 5 percent or 300 spaces,
1013 whichever is greater, or an increase in the number of spectators
1014 that may be accommodated at such a facility by 5 percent or
1015 1,000 spectators, whichever is greater.

1016 2. A new runway, a new terminal facility, a 25-percent
1017 lengthening of an existing runway, or a 25-percent increase in
1018 the number of gates of an existing terminal, but only if the
1019 increase adds at least three additional gates.

1020 3. An increase in the number of hospital beds by 5 percent
1021 or 60 beds, whichever is greater.

1022 4. An increase in industrial development area by 5 percent
1023 or 32 acres, whichever is greater.

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1024 5. An increase in the average annual acreage mined by 5
1025 percent or 10 acres, whichever is greater, or an increase in the
1026 average daily water consumption by a mining operation by 5
1027 percent or 300,000 gallons, whichever is greater. An increase in
1028 the size of the mine by 5 percent or 750 acres, whichever is
1029 less. An increase in the size of a heavy mineral mine as defined
1030 in s. 378.403(7) will only constitute a substantial deviation if
1031 the average annual acreage mined is more than 500 acres and
1032 consumes more than 3 million gallons of water per day.

1033 6. An increase in land area for office development by 5
1034 percent or an increase of gross floor area of office development
1035 by 5 percent or 60,000 gross square feet, whichever is greater.

1036 7. An increase in the storage capacity for chemical or
1037 petroleum storage facilities by 5 percent, 20,000 barrels, or 7
1038 million pounds, whichever is greater.

1039 8. An increase of development at a waterport of wet
1040 storage for 20 watercraft, dry storage for 30 watercraft, or
1041 wet/dry storage for 60 watercraft in an area identified in the
1042 state marina siting plan as an appropriate site for additional
1043 waterport development or a 5-percent increase in watercraft
1044 storage capacity, whichever is greater.

1045 9. An increase in the number of dwelling units by 5
1046 percent or 50 dwelling units, whichever is greater.

1047 10. An increase in the number of dwelling units by 15
1048 percent or 100 units, whichever is greater, provided that 20
1049 percent of the increase in the number of dwelling units is
1050 dedicated to the construction of workforce housing. For purposes
1051 of this subparagraph, the term "workforce housing" means housing

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1052 | that is affordable to a person who earns less than 120 percent
1053 | of the area median income.

1054 | ~~11.10.~~ An increase in commercial development by 50,000
1055 | square feet of gross floor area or of parking spaces provided
1056 | for customers for 300 cars or a 5-percent increase of either of
1057 | these, whichever is greater.

1058 | ~~12.11.~~ An increase in hotel or motel facility units by 5
1059 | percent or 75 units, whichever is greater.

1060 | ~~13.12.~~ An increase in a recreational vehicle park area by
1061 | 5 percent or 100 vehicle spaces, whichever is less.

1062 | ~~14.13.~~ A decrease in the area set aside for open space of
1063 | 5 percent or 20 acres, whichever is less.

1064 | ~~15.14.~~ A proposed increase to an approved multiuse
1065 | development of regional impact where the sum of the increases of
1066 | each land use as a percentage of the applicable substantial
1067 | deviation criteria is equal to or exceeds 100 percent. The
1068 | percentage of any decrease in the amount of open space shall be
1069 | treated as an increase for purposes of determining when 100
1070 | percent has been reached or exceeded.

1071 | ~~16.15.~~ A 15-percent increase in the number of external
1072 | vehicle trips generated by the development above that which was
1073 | projected during the original development-of-regional-impact
1074 | review.

1075 | ~~17.16.~~ Any change which would result in development of any
1076 | area which was specifically set aside in the application for
1077 | development approval or in the development order for
1078 | preservation or special protection of endangered or threatened
1079 | plants or animals designated as endangered, threatened, or

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1080 species of special concern and their habitat, primary dunes, or
 1081 archaeological and historical sites designated as significant by
 1082 the Division of Historical Resources of the Department of State.
 1083 The further refinement of such areas by survey shall be
 1084 considered under sub-subparagraph (e)5.b.

1085
 1086 The substantial deviation numerical standards in subparagraphs
 1087 4., 6., 10., 11., and 15. ~~14.~~, excluding residential uses, and
 1088 15., are increased by 100 percent for a project certified under
 1089 s. 403.973 which creates jobs and meets criteria established by
 1090 the Office of Tourism, Trade, and Economic Development as to its
 1091 impact on an area's economy, employment, and prevailing wage and
 1092 skill levels. The substantial deviation numerical standards in
 1093 subparagraphs 4., 6., 9., 10., 11., 12., and 15. ~~14.~~ are
 1094 increased by 50 percent for a project located wholly within an
 1095 urban infill and redevelopment area designated on the applicable
 1096 adopted local comprehensive plan future land use map and not
 1097 located within the coastal high hazard area.

1098 (e)1. Except for a development order rendered pursuant to
 1099 subsection (22) or subsection (25), a proposed change to a
 1100 development order that individually or cumulatively with any
 1101 previous change is less than any numerical criterion contained
 1102 in subparagraphs (b)1.-16. ~~(b)1.-15.~~ and does not exceed any
 1103 other criterion, or that involves an extension of the buildout
 1104 date of a development, or any phase thereof, of less than 5
 1105 years is not subject to the public hearing requirements of
 1106 subparagraph (f)3., and is not subject to a determination
 1107 pursuant to subparagraph (f)5. Notice of the proposed change

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1108 shall be made to the regional planning council and the state
 1109 land planning agency. Such notice shall include a description of
 1110 previous individual changes made to the development, including
 1111 changes previously approved by the local government, and shall
 1112 include appropriate amendments to the development order.

1113 2. The following changes, individually or cumulatively
 1114 with any previous changes, are not substantial deviations:

1115 a. Changes in the name of the project, developer, owner,
 1116 or monitoring official.

1117 b. Changes to a setback that do not affect noise buffers,
 1118 environmental protection or mitigation areas, or archaeological
 1119 or historical resources.

1120 c. Changes to minimum lot sizes.

1121 d. Changes in the configuration of internal roads that do
 1122 not affect external access points.

1123 e. Changes to the building design or orientation that stay
 1124 approximately within the approved area designated for such
 1125 building and parking lot, and which do not affect historical
 1126 buildings designated as significant by the Division of
 1127 Historical Resources of the Department of State.

1128 f. Changes to increase the acreage in the development,
 1129 provided that no development is proposed on the acreage to be
 1130 added.

1131 g. Changes to eliminate an approved land use, provided
 1132 that there are no additional regional impacts.

1133 h. Changes required to conform to permits approved by any
 1134 federal, state, or regional permitting agency, provided that
 1135 these changes do not create additional regional impacts.

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1136 i. Any renovation or redevelopment of development within a
1137 previously approved development of regional impact which does
1138 not change land use or increase density or intensity of use.

1139 j. Any other change which the state land planning agency
1140 agrees in writing is similar in nature, impact, or character to
1141 the changes enumerated in sub-subparagraphs a.-i. and which does
1142 not create the likelihood of any additional regional impact.

1143
1144 This subsection does not require a development order amendment
1145 for any change listed in sub-subparagraphs a.-j. unless such
1146 issue is addressed either in the existing development order or
1147 in the application for development approval, but, in the case of
1148 the application, only if, and in the manner in which, the
1149 application is incorporated in the development order.

1150 3. Except for the change authorized by sub-subparagraph
1151 2.f., any addition of land not previously reviewed or any change
1152 not specified in paragraph (b) or paragraph (c) shall be
1153 presumed to create a substantial deviation. This presumption may
1154 be rebutted by clear and convincing evidence.

1155 4. Any submittal of a proposed change to a previously
1156 approved development shall include a description of individual
1157 changes previously made to the development, including changes
1158 previously approved by the local government. The local
1159 government shall consider the previous and current proposed
1160 changes in deciding whether such changes cumulatively constitute
1161 a substantial deviation requiring further development-of-
1162 regional-impact review.

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1163 5. The following changes to an approved development of
1164 regional impact shall be presumed to create a substantial
1165 deviation. Such presumption may be rebutted by clear and
1166 convincing evidence.

1167 a. A change proposed for 15 percent or more of the acreage
1168 to a land use not previously approved in the development order.
1169 Changes of less than 15 percent shall be presumed not to create
1170 a substantial deviation.

1171 b. Except for the types of uses listed in subparagraph
1172 (b)17. ~~(b)16.~~, any change which would result in the development
1173 of any area which was specifically set aside in the application
1174 for development approval or in the development order for
1175 preservation, buffers, or special protection, including habitat
1176 for plant and animal species, archaeological and historical
1177 sites, dunes, and other special areas.

1178 c. Notwithstanding any provision of paragraph (b) to the
1179 contrary, a proposed change consisting of simultaneous increases
1180 and decreases of at least two of the uses within an authorized
1181 multiuse development of regional impact which was originally
1182 approved with three or more uses specified in s. 380.0651(3)(c),
1183 (d), (f), and (g) and residential use.

1184 Section 16. Paragraph (k) of subsection (3) of section
1185 380.0651, Florida Statutes, is redesignated as paragraph (l),
1186 and a new paragraph (k) is added to that subsection to read:

1187 380.0651 Statewide guidelines and standards.--

1188 (3) The following statewide guidelines and standards shall
1189 be applied in the manner described in s. 380.06(2) to determine

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1190 whether the following developments shall be required to undergo
1191 development-of-regional-impact review:

1192 (k) Workforce housing.--The applicable guidelines for
1193 residential development and the residential component for
1194 multiuse development shall be increased by 20 percent where the
1195 developer demonstrates that at least 15 percent of the
1196 residential dwelling units will be dedicated to workforce
1197 housing. For purposes of this subparagraph, the term "workforce
1198 housing" means housing that is affordable to a person who earns
1199 less than 120 percent of the area median income.

1200 Section 17. Section 420.0004, Florida Statutes, is amended
1201 to read:

1202 420.0004 Definitions.--As used in this part, unless the
1203 context otherwise indicates:

1204 (1) "Adjusted for family size" means adjusted in a manner
1205 which results in an income eligibility level which is lower for
1206 households with fewer than four people, or higher for households
1207 with more than four people, than the base income eligibility
1208 determined as provided in subsection (10) ~~(9)~~, subsection (11)
1209 ~~(10)~~, or subsection (15) ~~(14)~~, based upon a formula as
1210 established by the United States Department of Housing and Urban
1211 Development.

1212 (2) "Adjusted gross income" means all wages, assets,
1213 regular cash or noncash contributions or gifts from persons
1214 outside the household, and such other resources and benefits as
1215 may be determined to be income by the United States Department
1216 of Housing and Urban Development, adjusted for family size, less
1217 deductions allowable under s. 62 of the Internal Revenue Code.

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1218 (3) "Affordable" means that monthly rents or monthly
1219 mortgage payments including taxes, insurance, and utilities do
1220 not exceed 30 percent of that amount which represents the
1221 percentage of the median adjusted gross annual income for the
1222 households as indicated in subsection (10) ~~(9)~~, subsection (11)
1223 ~~(10)~~, or subsection (15) ~~(14)~~.

1224 (4) "Corporation" means the Florida Housing Finance
1225 Corporation.

1226 (5) "Community-based organization" or "nonprofit
1227 organization" means a private corporation organized under
1228 chapter 617 to assist in the provision of housing and related
1229 services on a not-for-profit basis and which is acceptable to
1230 federal and state agencies and financial institutions as a
1231 sponsor of low-income housing.

1232 (6) "Department" means the Department of Community
1233 Affairs.

1234 (7) "Elderly" describes persons 62 years of age or older.

1235 (8) "Extremely low income persons" means one or more
1236 natural persons or a family whose total annual household income
1237 does not exceed 30 percent of the median annual adjusted gross
1238 income for households within the state. The Florida Housing
1239 Finance Corporation may adjust this amount annually by rule to
1240 provide that in lower income counties extremely low income may
1241 exceed 30 percent of area median income and that in higher
1242 income counties extremely low income may be less than 30 percent
1243 of area median income.

1244 (9)~~(8)~~ "Local public body" means any county, municipality,
1245 or other political subdivision, or any housing authority as

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1246 provided by chapter 421, which is eligible to sponsor or develop
1247 housing for farmworkers and very-low-income and low-income
1248 persons within its jurisdiction.

1249 (10)~~(9)~~ "Low-income persons" means one or more natural
1250 persons or a family, the total annual adjusted gross household
1251 income of which does not exceed 80 percent of the median annual
1252 adjusted gross income for households within the state, or 80
1253 percent of the median annual adjusted gross income for
1254 households within the metropolitan statistical area (MSA) or, if
1255 not within an MSA, within the county in which the person or
1256 family resides, whichever is greater.

1257 (11)~~(10)~~ "Moderate-income persons" means one or more
1258 natural persons or a family, the total annual adjusted gross
1259 household income of which is less than 120 percent of the median
1260 annual adjusted gross income for households within the state, or
1261 120 percent of the median annual adjusted gross income for
1262 households within the metropolitan statistical area (MSA) or, if
1263 not within an MSA, within the county in which the person or
1264 family resides, whichever is greater.

1265 (12)~~(11)~~ "Student" means any person not living with his or
1266 her parent or guardian who is eligible to be claimed by his or
1267 her parent or guardian as a dependent under the federal income
1268 tax code and who is enrolled on at least a half-time basis in a
1269 secondary school, career center, community college, college, or
1270 university.

1271 (13)~~(12)~~ "Substandard" means:

1272 (a) Any unit lacking complete plumbing or sanitary
1273 facilities for the exclusive use of the occupants;

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1274 (b) A unit which is in violation of one or more major
1275 sections of an applicable housing code and where such violation
1276 poses a serious threat to the health of the occupant; or

1277 (c) A unit that has been declared unfit for human
1278 habitation but that could be rehabilitated for less than 50
1279 percent of the property value.

1280 (14)~~(13)~~ "Substantial rehabilitation" means repair or
1281 restoration of a dwelling unit where the value of such repair or
1282 restoration exceeds 40 percent of the value of the dwelling.

1283 (15)~~(14)~~ "Very-low-income persons" means one or more
1284 natural persons or a family, not including students, the total
1285 annual adjusted gross household income of which does not exceed
1286 50 percent of the median annual adjusted gross income for
1287 households within the state, or 50 percent of the median annual
1288 adjusted gross income for households within the metropolitan
1289 statistical area (MSA) or, if not within an MSA, within the
1290 county in which the person or family resides, whichever is
1291 greater.

1292 Section 18. Section 420.37, Florida Statutes, is repealed.

1293 Section 19. Subsection (18) of section 420.503, Florida
1294 Statutes, is amended to read:

1295 420.503 Definitions.--As used in this part, the term:

1296 (18) (a) "Farmworker" means a laborer who is employed on a
1297 seasonal, temporary, or permanent basis in the planting,
1298 cultivating, harvesting, or processing of agricultural or
1299 aquacultural products and who derived at least 50 percent of her
1300 or his income in the immediately preceding 12 months from such
1301 employment.

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1302 (b) "Farmworker" ~~also~~ includes a person who has retired as
1303 a laborer due to age, disability, or illness. In order to be
1304 considered retired as a farmworker due to age under this part, a
1305 person must be 50 years of age or older and must have been
1306 employed for a minimum of 5 years as a farmworker before
1307 retirement. In order to be considered retired as a farmworker
1308 due to disability or illness, a person must:

1309 1.(a) Establish medically that she or he is unable to be
1310 employed as a farmworker due to that disability or illness.

1311 2.(b) Establish that she or he was previously employed as
1312 a farmworker.

1313 (c) Notwithstanding paragraphs (a) and (b), when
1314 corporation-administered funds are used in conjunction with
1315 United States Department of Agriculture Rural Development funds,
1316 the term "farmworker" may mean a laborer who meets, at a
1317 minimum, the definition of "domestic farm laborer" as found in 7
1318 C.F.R. s. 3560.11, as amended. The corporation may establish
1319 additional criteria by rule.

1320 Section 20. Section 420.5061, Florida Statutes, is amended
1321 to read:

1322 420.5061 Transfer of agency assets and
1323 liabilities.--Effective January 1, 1998, all assets and
1324 liabilities and rights and obligations, including any
1325 outstanding contractual obligations, of the agency shall be
1326 transferred to the corporation as legal successor in all
1327 respects to the agency. The corporation shall thereupon become
1328 obligated to the same extent as the agency under any existing
1329 agreements and be entitled to any rights and remedies previously

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1330 | afforded the agency by law or contract, including specifically
 1331 | the rights of the agency under chapter 201 and part VI of
 1332 | chapter 159. The corporation is a state agency for purposes of
 1333 | s. 159.807(4) (a). Effective January 1, 1998, all references
 1334 | under Florida law to the agency are deemed to mean the
 1335 | corporation. The corporation shall transfer to the General
 1336 | Revenue Fund an amount which otherwise would have been deducted
 1337 | as a service charge pursuant to s. 215.20(1) if the Florida
 1338 | Housing Finance Corporation Fund established by s. 420.508(5),
 1339 | the State Apartment Incentive Loan Fund established by s.
 1340 | 420.5087(7), the Florida Homeownership Assistance Fund
 1341 | established by s. 420.5088 (4) ~~(5)~~, the HOME Investment
 1342 | Partnership Fund established by s. 420.5089(1), and the Housing
 1343 | Predevelopment Loan Fund established by s. 420.525(1) were each
 1344 | trust funds. For purposes of s. 112.313, the corporation is
 1345 | deemed to be a continuation of the agency, and the provisions
 1346 | thereof are deemed to apply as if the same entity remained in
 1347 | place. Any employees of the agency and agency board members
 1348 | covered by s. 112.313(9) (a)6. shall continue to be entitled to
 1349 | the exemption in that subparagraph, notwithstanding being hired
 1350 | by the corporation or appointed as board members of the
 1351 | corporation. Effective January 1, 1998, all state property in
 1352 | use by the agency shall be transferred to and become the
 1353 | property of the corporation.

1354 | Section 21. Subsections (22), (23), and (40) of section
 1355 | 420.507, Florida Statutes, are amended, and subsections (44),
 1356 | (45), and (46) are added to that section, to read:

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1357 420.507 Powers of the corporation.--The corporation shall
1358 have all the powers necessary or convenient to carry out and
1359 effectuate the purposes and provisions of this part, including
1360 the following powers which are in addition to all other powers
1361 granted by other provisions of this part:

1362 (22) To develop and administer the State Apartment
1363 Incentive Loan Program. In developing and administering that
1364 program, the corporation may:

1365 (a) Make first, second, and other subordinated mortgage
1366 loans including variable or fixed rate loans subject to
1367 contingent interest for all State Apartment Incentive Loans
1368 provided for in this chapter based upon available cash flow of
1369 the projects. The corporation shall make loans exceeding 25
1370 percent of project cost available only to nonprofit
1371 organizations and public bodies which are able to secure grants,
1372 donations of land, or contributions from other sources and to
1373 projects meeting the criteria of subparagraph 1. Mortgage loans
1374 shall be made available at the following rates of interest:

1375 1. Zero to 3 percent interest for sponsors of projects
1376 that set aside at least ~~maintain an~~ 80 percent ~~occupancy~~ of
1377 their total units for residents qualifying as farmworkers as
1378 defined in this part ~~s. 420.503(18)~~, or commercial fishing
1379 workers as defined in this part ~~s. 420.503(5)~~, or the homeless
1380 as defined in s. 420.621(4) over the life of the loan.

1381 2. The board may set the interest rate based on the pro
1382 rata share of units set aside for homeless residents if the
1383 total of such units is less than 80 percent of the units in the
1384 borrower's project.

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1385 3. One ~~Three~~ to 9 percent interest for sponsors of
1386 projects targeted at populations other than farmworkers,
1387 commercial fishing workers, and the homeless.

1388 (b) The corporation may make loans exceeding 25 percent of
1389 project cost when the project serves extremely low income
1390 families.

1391 (c) The corporation may forgive indebtedness for a pro
1392 rata share of the loan based on the number of units in a project
1393 reserved for extremely low income families.

1394 (d) ~~(b)~~ Geographically and demographically target the
1395 utilization of loans.

1396 (e) ~~(e)~~ Underwrite credit, and reject projects which do not
1397 meet the established standards of the corporation.

1398 (f) ~~(d)~~ Negotiate with governing bodies within the state
1399 after a loan has been awarded to obtain local government
1400 contributions.

1401 (g) ~~(e)~~ Inspect any records of a sponsor at any time during
1402 the life of the loan or the agreed period for maintaining the
1403 provisions of s. 420.5087.

1404 (h) ~~(f)~~ Establish, by rule, the procedure for evaluating,
1405 scoring, and competitively ranking all applications based on the
1406 criteria set forth in s. 420.5087(6)(c); determining actual loan
1407 amounts; making and servicing loans; and exercising the powers
1408 authorized in this subsection.

1409 (i) ~~(g)~~ Establish a loan loss insurance reserve to be used
1410 to protect the outstanding program investment in case of a
1411 default, deed in lieu of foreclosure, or foreclosure of a
1412 program loan.

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1413 (23) To develop and administer the Florida Homeownership
1414 Assistance Program. In developing and administering the program,
1415 the corporation may:

1416 (a)1. Make subordinated loans to eligible borrowers for
1417 down payments or closing costs related to the purchase of the
1418 borrower's primary residence.

1419 2. Make permanent loans to eligible borrowers related to
1420 the purchase of the borrower's primary residence.

1421 3. Make subordinated loans to nonprofit sponsors or
1422 developers of housing for purchase of property, for
1423 construction, or for financing of housing to be offered for sale
1424 to eligible borrowers as a primary residence at an affordable
1425 price.

1426 (b) Establish a loan loss insurance reserve to supplement
1427 existing sources of mortgage insurance with appropriated funds.

1428 (c) Geographically and demographically target the
1429 utilization of loans.

1430 (d) Defer repayment of loans for the term of the first
1431 mortgage.

1432 (e) Establish flexible terms for loans with an interest
1433 rate not to exceed 3 percent per annum and which are
1434 nonamortizing for the term of the first mortgage.

1435 (f) Require repayment of loans upon sale, transfer,
1436 refinancing, or rental of secured property.

1437 (g) Accelerate a loan for monetary default, for failure to
1438 provide the benefits of the loans to eligible borrowers, or for
1439 violation of any other restriction placed upon the loan.

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1440 (h) Adopt rules for the program and exercise the powers
1441 authorized in this subsection.

1442 (40) To establish subsidiary business entities
1443 ~~corporations~~ for the purpose of taking title to and managing and
1444 disposing of property acquired by the corporation. Such
1445 subsidiary business entities ~~corporations~~ shall be public
1446 business entities ~~corporations~~ wholly owned by the corporation;
1447 shall be entitled to own, mortgage, and sell property on the
1448 same basis as the corporation; and shall be deemed business
1449 entities ~~corporations~~ primarily acting as an agent ~~agents~~ of the
1450 state, within the meaning of s. 768.28, on the same basis as the
1451 corporation. Any subsidiary business entity created by the
1452 corporation shall be subject to chapters 119, 120, and 286 to
1453 the same extent as the corporation. The subsidiary business
1454 entities shall have authority to make rules necessary to conduct
1455 business and to carry out the purposes of this subsection.

1456 (44) To adopt rules whereby the corporation may intervene,
1457 negotiate terms, or undertake other actions which the
1458 corporation deems necessary to further program goals or avoid
1459 default of a program loan. Such rules must consider fiscal
1460 program goals and the preservation or advancement of affordable
1461 housing for the state.

1462 (45) To establish by rule requirements for periodic
1463 reporting of data, including, but not limited to, financial
1464 data, housing market data, detailed economic and physical
1465 occupancy on multifamily projects, and demographic data on all
1466 housing financed through corporation programs.

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1467 (46) In order to administer funds appropriated for
1468 disaster recovery and reconstruction following a declaration of
1469 emergency pursuant to s. 252.36, to create programs to repair,
1470 rehabilitate, and construct multifamily and single family
1471 dwellings. To administer this subsection, the corporation may
1472 adopt emergency rules pursuant to s. 120.54. The Legislature
1473 finds that emergency rules adopted pursuant to this subsection
1474 meet the health, safety, and welfare requirement of s.
1475 120.54(4). The Legislature finds that such emergency rulemaking
1476 power is necessary for the preservation of the rights and
1477 welfare of the people in order to provide additional funds to
1478 assist those areas of the state that sustain housing damage due
1479 to the occurrence of a disaster, as defined in s. 252.34(1).
1480 Emergency rules adopted under this subsection are exempt from s.
1481 120.54(4)(a) and (c).

1482 Section 22. Subsections (1), (3), (5), and (6) of section
1483 420.5087, Florida Statutes, are amended to read:

1484 420.5087 State Apartment Incentive Loan Program.--There is
1485 hereby created the State Apartment Incentive Loan Program for
1486 the purpose of providing first, second, or other subordinated
1487 mortgage loans or loan guarantees to sponsors, including for-
1488 profit, nonprofit, and public entities, to provide housing
1489 affordable to very-low-income persons.

1490 (1) Program funds shall be distributed over successive 3-
1491 year periods in a manner that meets the need and demand for
1492 very-low-income housing throughout the state. That need and
1493 demand must be determined by using the most recent statewide
1494 low-income rental housing market studies available at the

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1495 beginning of each 3-year period. However, at least 10 percent of
 1496 the program funds distributed during a 3-year period must be
 1497 allocated to each of the following categories of counties, as
 1498 determined by using the population statistics published in the
 1499 most recent edition of the Florida Statistical Abstract:

1500 (a) Counties that have a population of 825,000 or more.
 1501 ~~more than 500,000 people;~~

1502 (b) Counties that have a population of more than ~~between~~
 1503 100,000 but less than 825,000. ~~and 500,000 people; and~~

1504 (c) Counties that have a population of 100,000 or less.
 1505

1506 Any increase in funding required to reach the 10-percent minimum
 1507 shall be taken from the county category that has the largest
 1508 allocation. The corporation shall adopt rules which establish an
 1509 equitable process for distributing any portion of the 10 percent
 1510 of program funds allocated to the county categories specified in
 1511 this subsection which remains unallocated at the end of a 3-year
 1512 period. Counties that have a population of 100,000 or less shall
 1513 be given preference under these rules.

1514 (3) During the first 6 months of loan or loan guarantee
 1515 availability, program funds shall be reserved for use by
 1516 sponsors who provide the housing set-aside required in
 1517 subsection (2) for the tenant groups designated in this
 1518 subsection. The reservation of funds to each of these groups
 1519 shall be determined using the most recent statewide very-low-
 1520 income rental housing market study available at the time of
 1521 publication of each notice of fund availability required by
 1522 paragraph (6) (b). The reservation of funds within each notice of

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1523 fund availability to the tenant groups in paragraphs (a), (b),
1524 and (d) may not be less than 10 percent of the funds available
1525 at that time. Any increase in funding required to reach the 10-
1526 percent minimum shall be taken from the tenant group that has
1527 the largest reservation. The reservation of funds within each
1528 notice of fund availability to the tenant group in paragraph (c)
1529 may not be less than 5 percent of the funds available at that
1530 time. The tenant groups are:

- 1531 (a) Commercial fishing workers and farmworkers;
- 1532 (b) Families;
- 1533 (c) Persons who are homeless; and
- 1534 (d) Elderly persons. Ten percent of the amount reserved
1535 for the elderly shall be reserved to provide loans to sponsors
1536 of housing for the elderly for the purpose of making building
1537 preservation, health, or sanitation repairs or improvements
1538 which are required by federal, state, or local regulation or
1539 code, or lifesafety or security-related repairs or improvements
1540 to such housing. Such a loan may not exceed \$750,000 per housing
1541 community for the elderly. In order to receive the loan, the
1542 sponsor of the housing community must make a commitment to match
1543 at least 5 ~~15~~ percent of the loan amount to pay the cost of such
1544 repair or improvement. The corporation shall establish the rate
1545 of interest on the loan, which may not exceed 3 percent, and the
1546 term of the loan, which may not exceed 15 years; however, if the
1547 lien of the corporation's encumbrance is subordinate to the lien
1548 of another mortgagee, then the term may be made coterminous with
1549 the longest term of the superior lien. The term of the loan
1550 shall be established on the basis of a credit analysis of the

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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1551 applicant. The corporation shall establish, by rule, the
 1552 procedure and criteria for receiving, evaluating, and
 1553 competitively ranking all applications for loans under this
 1554 paragraph. A loan application must include evidence of the first
 1555 mortgagee's having reviewed and approved the sponsor's intent to
 1556 apply for a loan. A nonprofit organization or sponsor may not
 1557 use the proceeds of the loan to pay for administrative costs,
 1558 routine maintenance, or new construction.

1559 (5) The amount of the mortgage provided under this program
 1560 combined with any other mortgage in a superior position shall be
 1561 less than the value of the project without the housing set-aside
 1562 required by subsection (2). However, the corporation may waive
 1563 this requirement for projects in rural areas or urban infill
 1564 areas which have market rate rents that are less than the
 1565 allowable rents pursuant to applicable state and federal
 1566 guidelines, and for projects which reserve units for extremely
 1567 low income families. In no event shall the mortgage provided
 1568 under this program combined with any other mortgage in a
 1569 superior position exceed total project cost.

1570 (6) On all state apartment incentive loans, except loans
 1571 made to housing communities for the elderly to provide for
 1572 lifesafety, building preservation, health, sanitation, or
 1573 security-related repairs or improvements, the following
 1574 provisions shall apply:

1575 (a) The corporation shall establish two interest rates in
 1576 accordance with s. 420.507(22)(a)1. and 3. ~~2.~~

1577 (b) The corporation shall publish a notice of fund
 1578 availability in a publication of general circulation throughout

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1579 | the state. Such notice shall be published at least 60 days prior
1580 | to the application deadline and shall provide notice of the
1581 | temporary reservations of funds established in subsection (3).

1582 | (c) The corporation shall provide by rule for the
1583 | establishment of a review committee composed of the department
1584 | and corporation staff and shall establish by rule a scoring
1585 | system for evaluation and competitive ranking of applications
1586 | submitted in this program, including, but not limited to, the
1587 | following criteria:

1588 | 1. Tenant income and demographic targeting objectives of
1589 | the corporation.

1590 | 2. Targeting objectives of the corporation which will
1591 | ensure an equitable distribution of loans between rural and
1592 | urban areas.

1593 | 3. Sponsor's agreement to reserve the units for persons or
1594 | families who have incomes below 50 percent of the state or local
1595 | median income, whichever is higher, for a time period to exceed
1596 | the minimum required by federal law or the provisions of this
1597 | part.

1598 | 4. Sponsor's agreement to reserve more than:

1599 | a. Twenty percent of the units in the project for persons
1600 | or families who have incomes that do not exceed 50 percent of
1601 | the state or local median income, whichever is higher; or

1602 | b. Forty percent of the units in the project for persons
1603 | or families who have incomes that do not exceed 60 percent of
1604 | the state or local median income, whichever is higher, without
1605 | requiring a greater amount of the loans as provided in this
1606 | section.

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1607 5. Provision for tenant counseling.

1608 ~~6. Sponsor's agreement to accept rental assistance~~

1609 ~~certificates or vouchers as payment for rent; however, when~~

1610 ~~certificates or vouchers are accepted as payment for rent on~~

1611 ~~units set aside pursuant to subsection (2), the benefit must be~~

1612 ~~divided between the corporation and the sponsor, as provided by~~

1613 ~~corporation rule.~~

1614 6.7. Projects requiring the least amount of a state

1615 apartment incentive loan compared to overall project cost except

1616 that the share of the loan attributable to the extremely low

1617 income units shall be excluded from this requirement.

1618 ~~7.8.~~ Local government contributions and local government

1619 comprehensive planning and activities that promote affordable

1620 housing.

1621 8.9. Project feasibility.

1622 ~~9.10.~~ Economic viability of the project.

1623 ~~10.11.~~ Commitment of first mortgage financing.

1624 ~~11.12.~~ Sponsor's prior experience.

1625 ~~12.13.~~ Sponsor's ability to proceed with construction.

1626 ~~13.14.~~ Projects that directly implement or assist welfare-

1627 to-work transitioning.

1628 14. Projects that reserve units for extremely low income

1629 families.

1630 (d) The corporation may reject any and all applications.

1631 (e) The corporation may approve and reject applications

1632 for the purpose of achieving geographic targeting.

1633 (f) The review committee established by corporation rule

1634 pursuant to this subsection shall make recommendations to the

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1635 board of directors of the corporation regarding program
 1636 participation under the State Apartment Incentive Loan Program.
 1637 The corporation board shall make the final ranking and the
 1638 decisions regarding which applicants shall become program
 1639 participants based on the scores received in the competitive
 1640 ranking, further review of applications, and the recommendations
 1641 of the review committee. The corporation board shall approve or
 1642 reject applications for loans and shall determine the tentative
 1643 loan amount available to each applicant selected for
 1644 participation in the program. The actual loan amount shall be
 1645 determined pursuant to rule adopted pursuant to s.

1646 420.507(22) (h) ~~(f)~~.

1647 (g) The loan term shall be for a period of not more than
 1648 15 years; however, if both a program loan and federal low-income
 1649 housing tax credits are to be used to assist a project, the
 1650 corporation may set the loan term for a period commensurate with
 1651 the investment requirements associated with the tax credit
 1652 syndication. The term of the loan may also exceed 15 years if
 1653 necessary to conform to requirements of the Federal National
 1654 Mortgage Association. The corporation may renegotiate and extend
 1655 the loan in order to extend the availability of housing for the
 1656 targeted population. The term of a loan may not extend beyond
 1657 the period for which the sponsor agrees to provide the housing
 1658 set-aside required by subsection (2).

1659 (h) The loan shall be subject to sale, transfer, or
 1660 refinancing. The sale, transfer, or refinancing of the loan
 1661 shall be consistent with fiscal program goals and the
 1662 preservation or advancement of affordable housing for the state.

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1663 ~~However, all requirements and conditions of the loan shall~~
1664 ~~remain following sale, transfer, or refinancing.~~

1665 (i) The discrimination provisions of s. 420.516 shall
1666 apply to all loans.

1667 (j) The corporation may require units dedicated for the
1668 elderly.

1669 (k) Rent controls shall not be allowed on any project
1670 except as required in conjunction with the issuance of tax-
1671 exempt bonds or federal low-income housing tax credits.

1672 (l) The proceeds of all loans shall be used for new
1673 construction or substantial rehabilitation which creates
1674 affordable, safe, and sanitary housing units.

1675 (m) Sponsors shall annually certify the adjusted gross
1676 income of all persons or families qualified under subsection (2)
1677 at the time of initial occupancy, who are residing in a project
1678 funded by this program. All persons or families qualified under
1679 subsection (2) may continue to qualify under subsection (2) in a
1680 project funded by this program if the adjusted gross income of
1681 those persons or families at the time of annual recertification
1682 meets the requirements established in s. 142(d)(3)(B) of the
1683 Internal Revenue Code of 1986, as amended. If the annual
1684 recertification of persons or families qualifying under
1685 subsection (2) results in noncompliance with income occupancy
1686 requirements, the next available unit must be rented to a person
1687 or family qualifying under subsection (2) in order to ensure
1688 continuing compliance of the project. The corporation may waive
1689 the annual recertification if 100 percent of the units are set
1690 aside as affordable.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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1691 (n) Upon submission and approval of a marketing plan which
 1692 demonstrates a good faith effort of a sponsor to rent a unit or
 1693 units to persons or families reserved under subsection (3) and
 1694 qualified under subsection (2), the sponsor may rent such unit
 1695 or units to any person or family qualified under subsection (2)
 1696 notwithstanding the reservation.

1697 (o) Sponsors may participate in federal mortgage insurance
 1698 programs and must abide by the requirements of those programs.
 1699 If a conflict occurs between the requirements of federal
 1700 mortgage insurance programs and the requirements of this
 1701 section, the requirements of federal mortgage insurance programs
 1702 shall take precedence.

1703 Section 23. Section 420.5088, Florida Statutes, is amended
 1704 to read:

1705 420.5088 Florida Homeownership Assistance Program.--There
 1706 is created the Florida Homeownership Assistance Program for the
 1707 purpose of assisting low-income and moderate-income persons in
 1708 purchasing a home as their primary residence by reducing the
 1709 cost of the home with below-market construction financing, by
 1710 reducing the amount of down payment and closing costs paid by
 1711 the borrower to a maximum of 5 percent of the purchase price, or
 1712 by reducing the monthly payment to an affordable amount for the
 1713 purchaser. Loans shall be made available at an interest rate
 1714 that does not exceed 3 percent. The balance of any loan is due
 1715 at closing if the property is sold, refinanced, or transferred,
 1716 unless otherwise approved by the corporation.

1717 (1) For loans made available pursuant to s.
 1718 420.507(23) (a) 1. or 2.:

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1719 (a) The corporation may underwrite and make those mortgage
1720 loans through the program to persons or families who have
1721 incomes that do not exceed 120 ~~80~~ percent of the state or local
1722 median income, whichever is greater, adjusted for family size.

1723 (b) Loans shall be made available for the term of the
1724 first mortgage.

1725 (c) Loans may not exceed ~~are limited to~~ the lesser of 35
1726 ~~25~~ percent of the purchase price of the home or the amount
1727 necessary to enable the purchaser to meet credit underwriting
1728 criteria.

1729 (2) For loans made pursuant to s. 420.507(23)(a)3.:

1730 (a) Availability is limited to nonprofit sponsors or
1731 developers who are selected for program participation pursuant
1732 to this subsection.

1733 (b) Preference must be given ~~to community development~~
1734 ~~corporations as defined in s. 290.033~~ and to community-based
1735 organizations as defined in s. 420.503.

1736 (c) Priority must be given to projects that have received
1737 state assistance in funding project predevelopment costs.

1738 (d) The benefits of making such loans shall be
1739 contractually provided to the persons or families purchasing
1740 homes financed under this subsection.

1741 (e) At least 30 percent of the units in a project financed
1742 pursuant to this subsection must be sold to persons or families
1743 who have incomes that do not exceed 80 percent of the state or
1744 local median income, whichever amount is greater, adjusted for
1745 family size; and at least another 30 percent of the units in a
1746 project financed pursuant to this subsection must be sold to

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1747 persons or families who have incomes that do not exceed 65 ~~50~~
 1748 percent of the state or local median income, whichever amount is
 1749 greater, adjusted for family size.

1750 (f) The maximum loan amount may not exceed 33 percent of
 1751 the total project cost.

1752 (g) A person who purchases a home in a project financed
 1753 under this subsection is eligible for a loan authorized by s.
 1754 420.507(23)(a)1. or 2. in an aggregate amount not exceeding the
 1755 construction loan made pursuant to this subsection. The home
 1756 purchaser must meet all the requirements for loan recipients
 1757 established pursuant to the applicable loan program.

1758 (h) The corporation shall provide, by rule, for the
 1759 establishment of a review committee composed of corporation
 1760 staff and shall establish, by rule, a scoring system for
 1761 evaluating and ranking applications submitted for construction
 1762 loans under this subsection, including, but not limited to, the
 1763 following criteria:

- 1764 1. The affordability of the housing proposed to be built.
- 1765 2. The direct benefits of the assistance to the persons
 1766 who will reside in the proposed housing.
- 1767 3. The demonstrated capacity of the applicant to carry out
 1768 the proposal, including the experience of the development team.
- 1769 4. The economic feasibility of the proposal.
- 1770 5. The extent to which the applicant demonstrates
 1771 potential cost savings by combining the benefits of different
 1772 governmental programs and private initiatives, including the
 1773 local government contributions and local government

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1774 comprehensive planning and activities that promote affordable
 1775 housing.

1776 6. The use of the least amount of program loan funds
 1777 compared to overall project cost.

1778 7. The provision of homeownership counseling.

1779 8. The applicant's agreement to exceed the requirements of
 1780 paragraph (e).

1781 9. The commitment of first mortgage financing for the
 1782 balance of the construction loan and for the permanent loans to
 1783 the purchasers of the housing.

1784 10. The applicant's ability to proceed with construction.

1785 11. The targeting objectives of the corporation which will
 1786 ensure an equitable distribution of loans between rural and
 1787 urban areas.

1788 12. The extent to which the proposal will further the
 1789 purposes of this program.

1790 (i) The corporation may reject any and all applications.

1791 (j) The review committee established by corporation rule
 1792 pursuant to this subsection shall make recommendations to the
 1793 corporation board regarding program participation under this
 1794 subsection. The corporation board shall make the final ranking
 1795 for participation based on the scores received in the ranking,
 1796 further review of the applications, and the recommendations of
 1797 the review committee. The corporation board shall approve or
 1798 reject applicants for loans and shall determine the tentative
 1799 loan amount available to each program participant. The final
 1800 loan amount shall be determined pursuant to rule adopted under
 1801 s. 420.507(23) (h).

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1802 (3) The corporation shall publish a notice of fund
1803 availability in a publication of general circulation throughout
1804 the state at least 60 days prior to the anticipated availability
1805 of funds.

1806 ~~(4) During the first 9 months of fund availability:~~

1807 ~~(a) Sixty percent of the program funds shall be reserved~~
1808 ~~for use by borrowers pursuant to s. 420.507(23)(a)1.;~~

1809 ~~(b) Twenty percent of the program funds shall be reserved~~
1810 ~~for use by borrowers pursuant to s. 420.507(23)(a)2.; and~~

1811 ~~(c) Twenty percent of the program funds shall be reserved~~
1812 ~~for use by borrowers pursuant to s. 420.507(23)(a)3.~~

1813

1814 ~~If the application of these percentages would cause the~~
1815 ~~reservation of program funds under paragraph (a) to be less than~~
1816 ~~\$1 million, the reservation for paragraph (a) shall be increased~~
1817 ~~to \$1 million or all available funds, whichever amount is less,~~
1818 ~~with the increase to be accomplished by reducing the reservation~~
1819 ~~for paragraph (b) and, if necessary, paragraph (c).~~

1820 (4)~~(5)~~ There is authorized to be established by the
1821 corporation with a qualified public depository meeting the
1822 requirements of chapter 280 the Florida Homeownership Assistance
1823 Fund to be administered by the corporation according to the
1824 provisions of this program. Any amounts held in the Florida
1825 Homeownership Assistance Trust Fund for such purposes as of
1826 January 1, 1998, must be transferred to the corporation for
1827 deposit in the Florida Homeownership Assistance Fund, whereupon
1828 the Florida Homeownership Assistance Trust Fund must be closed.
1829 There shall be deposited in the fund moneys from the State

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1830 Housing Trust Fund created by s. 420.0005, or moneys received
 1831 from any other source, for the purpose of this program and all
 1832 proceeds derived from the use of such moneys. In addition, all
 1833 unencumbered funds, loan repayments, proceeds from the sale of
 1834 any property, and any other proceeds that would otherwise accrue
 1835 pursuant to the activities of the programs described in this
 1836 section shall be transferred to this fund. In addition, all loan
 1837 repayments, proceeds from the sale of any property, and any
 1838 other proceeds that would otherwise accrue pursuant to the
 1839 activities conducted under the provisions of the Florida
 1840 Homeownership Assistance Program shall be deposited in the fund
 1841 and shall not revert to the General Revenue Fund. Expenditures
 1842 from the Florida Homeownership Assistance Fund shall not be
 1843 required to be included in the corporation's budget request or
 1844 be subject to appropriation by the Legislature.

1845 ~~(5)-(6)~~ No more than one-fifth of the funds available in
 1846 the Florida Homeownership Assistance Fund may be made available
 1847 to provide loan loss insurance reserve funds to facilitate
 1848 homeownership for eligible persons.

1849 Section 24. Section 420.5095, Florida Statutes, is created
 1850 to read:

1851 420.5095 Community Workforce Housing Innovation Program.--

1852 (1) The Community Workforce Housing Innovation Program is
 1853 created for the purpose of providing regulatory incentives and
 1854 state and local funds to promote local public-private
 1855 partnerships and leverage government and private resources to
 1856 provide affordable rental and single-family community workforce

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1857 | housing for essential services personnel with medium incomes in
 1858 | high-cost and high-growth counties in this state.

1859 | (2) The Florida Housing Finance Corporation shall be
 1860 | responsible for implementing and creating an incentive program
 1861 | for the Community Workforce Housing Innovation Program by
 1862 | providing financial and regulatory incentives to the public and
 1863 | private sectors to develop and finance innovative rental and
 1864 | home-ownership housing solutions to meet the needs of eligible
 1865 | Floridians. The corporation shall utilize the State Housing
 1866 | Initiatives Partnership Program governed by ss. 420.907-420.9079
 1867 | for assistance with administration of this program.

1868 | (3) The corporation shall develop selection criteria by
 1869 | rule for requests for proposal to provide funding for
 1870 | multifamily rental or single-family community workforce housing
 1871 | innovation projects in targeted high-cost and high-growth
 1872 | counties or areas of critical state concern. The corporation
 1873 | shall provide incentives for local governments in these counties
 1874 | to use local affordable housing State Housing Initiatives
 1875 | Partnership Program funds under s. 420.9072 for meeting the
 1876 | affordable housing needs of persons eligible under this program.

1877 | (4) The Community Workforce Housing Innovation Program
 1878 | projects shall target:

1879 | (a) High-cost counties, those counties in which the median
 1880 | purchase price of a single-family home is above the state median
 1881 | purchase price of a single-family home, and areas of critical
 1882 | state concern designated under s. 380.05 for which the
 1883 | Legislature has declared its intent to provide affordable

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1884 housing. The Florida Housing Finance Corporation shall develop
1885 the list of high-cost counties on an annual basis.

1886 (b) High-growth counties, those counties that demonstrate
1887 significantly high rates of growth in K-12 public school
1888 students and a substantial number of open teaching positions
1889 currently and projected for the next school year. To qualify
1890 under these criteria of high growth and need to fill public
1891 school teaching positions, a county's school district must have
1892 been in the top 10 school districts in the state for the fastest
1893 student population growth as a percentage rate of increase for
1894 the previous 5 years, as defined by the Department of Education.
1895 Counties with school districts having the greatest number of
1896 teaching position vacancies shall be prioritized.

1897 (c) Project partnerships that include substantial
1898 involvement of public sector entities, such as local
1899 municipalities, counties, school districts, special districts,
1900 and other units of local government, and private sector entities
1901 that donate land or other tangible value worth at least 15
1902 percent of the project value.

1903 (d) Persons in households with income levels of up to 150
1904 percent of the area median income, adjusted for household size,
1905 in prioritized areas included in this subsection or a higher
1906 adjusted median income percentage in areas of critical state
1907 concern.

1908 (e) Persons in need of affordable housing who are employed
1909 in areas in which they are considered essential services
1910 personnel, such as teachers and educators, police and fire
1911 personnel, and health care personnel, and in other job

1912 categories in which the personnel are defined as essential
 1913 services personnel within the annual local State Housing
 1914 Initiatives Partnership Program under s. 420.9072.

1915 (f) Innovative projects that include new construction or
 1916 rehabilitation of existing housing, mixed-income housing, or
 1917 commercial and housing mixed-use elements.

1918 (5) The Community Workforce Housing Innovation Program
 1919 shall supplement and not supplant the existing affordable
 1920 housing programs funded under chapter 420.

1921 (6) On an annual basis, the corporation shall review the
 1922 success of the Community Workforce Housing Innovation Program to
 1923 determine how the program supports traditional affordable
 1924 housing programs as defined in chapter 420 and to ascertain
 1925 whether the program is meeting the housing needs of high-cost
 1926 and high-growth counties. The corporation shall submit any
 1927 recommendations for strengthening the program to the Governor,
 1928 the Speaker of the House of Representatives, and the President
 1929 of the Senate by January 1 of each year.

1930 (7) On an annual basis, the corporation shall review ways
 1931 to improve public and private sector incentives and barriers to
 1932 affordable and community workforce housing and make any
 1933 recommendations necessary to improve these incentives in a
 1934 report to the Governor, the Speaker of the House of
 1935 Representatives, and the President of the Senate by January 1 of
 1936 each year. The corporation may request the assistance of the
 1937 Department of Community Affairs or the Affordable Housing Study
 1938 Commission in these efforts.

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1939 (8) (a) Applicants whose projects are approved or funded by
 1940 the Community Workforce Housing Innovation Program as Community
 1941 Workforce Housing Innovation Program projects shall be eligible
 1942 for the following workforce housing incentives to ensure the
 1943 financial viability, successful development, and ongoing
 1944 maintenance of these housing developments:

1945 1. The processing of approvals of development orders or
 1946 development permits, as defined in s. 163.3164(7) and (8), for
 1947 affordable housing projects shall be expedited to a greater
 1948 degree than other projects.

1949 2. Impact fees shall be reduced by 50 percent or may be
 1950 waived entirely by the local governments, or applicants shall be
 1951 provided with an alternative method of fee payment.

1952 3. Increased density levels of up to 16 units or higher
 1953 density per acre shall be allowed, except in coastal high-hazard
 1954 areas, if approved by the local government, for community
 1955 workforce housing.

1956 4. The infrastructure capacity in the local comprehensive
 1957 plan for affordable housing shall be reserved for these
 1958 communities.

1959 5. Additional affordable residential units in residential
 1960 zoning districts shall be allowed.

1961 6. Open space and setback requirements for affordable
 1962 housing shall be reduced by 50 percent.

1963 7. Zero-lot-line configurations shall be allowed.

1964 8. Traffic concurrency requirements shall be modified or
 1965 reduced by up to 25 percent.

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1966 9. Local transportation infrastructure funding shall have
1967 priority eligibility from metropolitan planning organizations.

1968 (b) The regulatory incentives for approved Community
1969 Workforce Housing Innovation Program projects shall be
1970 considered acceptable by the respective local government
1971 maintaining jurisdiction over the site of the project, if:

1972 1. The applicant receives a letter of support from the
1973 local government for the project application submitted to the
1974 corporation; or

1975 2. Within 60 days after receipt of the applicant's plan by
1976 the local government, no formal vote is taken by that body to
1977 object to the project.

1978
1979 However, if that local government entity votes not to accept the
1980 Community Workforce Housing Innovation Program project in its
1981 county, the corporation shall remove the application from the
1982 project approval list.

1983 (9) Subject to the availability of funds appropriated by
1984 the Legislature to fund the Community Workforce Housing
1985 Innovation Program, the Florida Housing Finance Corporation
1986 shall have the authority to provide Community Workforce Housing
1987 Innovation Program grants to an applicant for construction or
1988 rehabilitation of rental or single-family community workforce
1989 housing, provided the sponsor of such appropriation:

1990 (a) Sets aside at least 80 percent of the units for
1991 eligible persons whose household income does not exceed 150
1992 percent of the adjusted local median income;

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1993 (b) Sets aside at least 50 percent of the units as
 1994 prioritized for households whose family members are employed in
 1995 areas deemed essential public service, such as education, health
 1996 care, and other areas defined by the local community in its
 1997 State Housing Initiatives Partnership Program plan. Such
 1998 projects shall identify sales and leasing strategies to
 1999 accomplish this set-aside priority for essential services
 2000 personnel as well as alternative strategies to sell or lease
 2001 units to other qualified individuals if essential services
 2002 personnel are not immediately available or qualified for the
 2003 units;

2004 (c) For rental projects, limits rents to no more than 40
 2005 percent of the maximum household income adjusted to unit size;
 2006 or

2007 (d) For home ownership, limits the sales price to the
 2008 price for which an eligible applicant at 150 percent of the
 2009 median income may qualify.

2010 (10) The corporation shall issue a request for proposals
 2011 to solicit applications for program approval and grants offered
 2012 under this section and shall establish a funding process to
 2013 distribute annually appropriated funds under this section. The
 2014 corporation may approve a project under this program that does
 2015 not require grant funding as long as the project proves its
 2016 financial viability. Grant funding shall be based on
 2017 demonstrated financial need of the project. The corporation
 2018 shall prioritize projects in those high-cost counties with the
 2019 highest real estate cost burdens for housing, including those
 2020 counties with designated areas of critical state concern and

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2021 those counties with the highest median price of single-family
2022 homes. The corporation shall also approve and fund projects in
2023 one high-growth county. As an annual goal, the corporation shall
2024 seek to achieve a 70-percent high-cost, 30-percent high-growth
2025 ratio in its approval and funding of projects.

2026 (11) (a) All eligible applications shall:

2027 1. Demonstrate that the program applicant consists of a
2028 public-private partnership of at least one local government or
2029 special district public entity and one private not-for-profit or
2030 for-profit development partner.

2031 2. Demonstrate how the applicant will use the regulatory
2032 incentives outlined in subsection (8) and include, if available,
2033 any letters of support from the local government partner for the
2034 incentives.

2035 3. Demonstrate that the applicant possesses title to or
2036 firm site control of land and evidences availability of required
2037 infrastructure.

2038 4. Provide any research or facts available supporting the
2039 demand and need for rental or home ownership workforce housing
2040 for qualified workforce residents in the county in which the
2041 project is proposed.

2042 5. Have grants, donations of land, or contributions from
2043 other sources collectively totaling at least 15 percent of the
2044 total development cost. Such grants, donations of land, or
2045 contributions must only be evidenced by a letter of commitment
2046 at the time of application.

2047 6. Demonstrate accessibility to commercial businesses,
2048 services, and employment opportunities needed to serve the needs

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2049 of the residents or include a viable plan to provide
2050 transportation access to those commercial businesses, services,
2051 and jobs.

2052 7. Demonstrate a marketing and sales plan to ensure that
2053 residents fit the income requirements and workforce employment
2054 demand for essential services.

2055 8. Provide a viable pro forma financial statement for the
2056 development costs and revenues for the project.

2057 (b) When ownership of the land or property utilized for
2058 development in conjunction with the Community Workforce Housing
2059 Innovation Program grant is to be held by any public sector
2060 entity, as described in this section, the applicant may choose
2061 to use a nonprofit or public entity to manage the resulting
2062 housing program. The applicant must demonstrate that the
2063 management entity:

2064 1. Has experience and proficiency in the management of
2065 affordable housing programs.

2066 2. Has regularly conducted independent audits.

2067 3. Has a publicly appointed oversight board of directors
2068 or commissioners.

2069 4. Has experience in the provision of resident programs
2070 and services, such as child care, transportation, and job
2071 training.

2072 (12) The corporation shall establish a review committee
2073 composed of staff of the corporation and shall establish a
2074 scoring system for evaluation and competitive ranking of
2075 applications submitted to the program.

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2076 (13) The corporation shall develop evaluation and ranking
2077 criteria that use the eligibility criteria of subsection (3) and
2078 emphasize the following: innovative planning concepts,
2079 innovative building design, local government participation,
2080 public-private partnerships, the ability to proceed with
2081 construction, the feasibility and economic viability of the
2082 project, the applicant's affordable housing development and
2083 management experience, the ability to meet essential service
2084 personnel needs, a management plan to attract, serve, and keep
2085 eligible workforce tenants and ensure the long-term
2086 affordability of the rental or ownership units, and the quality
2087 of project design.

2088 (14) The corporation shall develop rules and procedures
2089 for the awarding and accountability of Community Workforce
2090 Housing Innovation Program grants and approvals to selected
2091 applicants. Grants may be used with other corporation and
2092 private-sector resources. The proceeds of all grants shall be
2093 used for new construction or substantial rehabilitation that
2094 creates affordable, safe, and sanitary rental or ownership
2095 workforce housing units. The corporation shall expedite the
2096 review, evaluation, and awarding of program grants.

2097 (15) If a default on a grant occurs, the corporation may
2098 foreclose on any mortgage or security interest or commence any
2099 legal action to protect the interest of the corporation and
2100 recover the amount of the grant principal, accrued interest, and
2101 fees. The corporation may acquire real or personal property or
2102 any interest in such property when that acquisition is necessary
2103 or appropriate to protect any grant or sell, transfer, and

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2104 convey any such property to a buyer without regard to the
 2105 provisions of chapters 253 and 270.

2106 (16) The corporation shall develop and implement a
 2107 Community Workforce Housing Innovation Program down payment
 2108 assistance program with available funds consistent with all the
 2109 requisite financial guidelines to meet the needs of eligible
 2110 individuals to purchase workforce housing. The corporation shall
 2111 encourage local governments to accomplish the same goals through
 2112 their housing assistance plans provided in s. 420.9075.

2113 (17) The corporation shall develop recommendations for
 2114 increasing the development of innovative affordable home
 2115 ownership projects serving very-low-income, low-income, and
 2116 moderate-income residents in Florida, which may include
 2117 expansion of support for nonprofit home builders, such as
 2118 Habitat for Humanity and other charitable housing organizations,
 2119 public housing authorities, and for-profit housing developers.
 2120 Recommendations shall assess the value of public-private
 2121 partnerships, increased local and state funding for nonprofit
 2122 housing organizations, and the possible conversion of existing
 2123 affordable multifamily rental apartments to affordable home
 2124 ownership units for projects in high-cost counties and counties
 2125 with areas designated as areas of critical state concern.
 2126 Recommendations shall examine how to guarantee long-term
 2127 affordability for home ownership and an affordable home
 2128 ownership purchase price

2129 (18) The corporation shall require all program applicants
 2130 to obtain and document local public input on the proposed

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2131 | project. The corporation shall establish criteria for what local
 2132 | public input the applicants shall be required to obtain.

2133 | Section 25. Subsection (2) of section 420.9072, Florida
 2134 | Statutes, is amended to read:

2135 | 420.9072 State Housing Initiatives Partnership Program.--
 2136 | The State Housing Initiatives Partnership Program is created for
 2137 | the purpose of providing funds to counties and eligible
 2138 | municipalities as an incentive for the creation of local housing
 2139 | partnerships, to expand production of and preserve affordable
 2140 | housing, to further the housing element of the local government
 2141 | comprehensive plan specific to affordable housing, and to
 2142 | increase housing-related employment.

2143 | (2)(a) To be eligible to receive funds under the program,
 2144 | a county or eligible municipality must:

2145 | 1. Submit to the corporation its local housing assistance
 2146 | plan describing the local housing assistance strategies
 2147 | established pursuant to s. 420.9075;

2148 | 2. Within 12 months after adopting the local housing
 2149 | assistance plan, amend the plan to incorporate the local housing
 2150 | incentive strategies defined in s. 420.9071(16) and described in
 2151 | s. 420.9076; and

2152 | 3. Within 24 months after adopting the amended local
 2153 | housing assistance plan to incorporate the local housing
 2154 | incentive strategies, amend its land development regulations or
 2155 | establish local policies and procedures, as necessary, to
 2156 | implement the local housing incentive strategies adopted by the
 2157 | local governing body. A county or an eligible municipality that
 2158 | has adopted a housing incentive strategy pursuant to s. 420.9076

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2159 | before the effective date of this act shall review the status of
2160 | implementation of the plan according to its adopted schedule for
2161 | implementation and report its findings in the annual report
2162 | required by s. 420.9075 (10) ~~(9)~~. If as a result of the review, a
2163 | county or an eligible municipality determines that the
2164 | implementation is complete and in accordance with its schedule,
2165 | no further action is necessary. If a county or an eligible
2166 | municipality determines that implementation according to its
2167 | schedule is not complete, it must amend its land development
2168 | regulations or establish local policies and procedures, as
2169 | necessary, to implement the housing incentive plan within 12
2170 | months after the effective date of this act, or if extenuating
2171 | circumstances prevent implementation within 12 months, pursuant
2172 | to s. 420.9075 (13) ~~(12)~~, enter into an extension agreement with
2173 | the corporation.

2174 | (b) A county or an eligible municipality seeking approval
2175 | to receive its share of the local housing distribution must
2176 | adopt an ordinance containing the following provisions:

2177 | 1. Creation of a local housing assistance trust fund as
2178 | described in s. 420.9075 (6) ~~(5)~~.

2179 | 2. Adoption by resolution of a local housing assistance
2180 | plan as defined in s. 420.9071(14) to be implemented through a
2181 | local housing partnership as defined in s. 420.9071(18).

2182 | 3. Designation of the responsibility for the
2183 | administration of the local housing assistance plan. Such
2184 | ordinance may also provide for the contracting of all or part of
2185 | the administrative or other functions of the program to a third
2186 | person or entity.

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2187 4. Creation of the affordable housing advisory committee
2188 as provided in s. 420.9076.

2189
2190 The ordinance must not take effect until at least 30 days after
2191 the date of formal adoption. Ordinances in effect prior to the
2192 effective date of amendments to this section shall be amended as
2193 needed to conform to new provisions.

2194 Section 26. Paragraph (a) of subsection (4) of section
2195 420.9075, Florida Statutes, is amended, subsections (5) through
2196 (12) are renumbered as subsections (6) through (13),
2197 respectively, and a new subsection (5) is added to that section,
2198 to read:

2199 420.9075 Local housing assistance plans; partnerships.--

2200 (4) The following criteria apply to awards made to
2201 eligible sponsors or eligible persons for the purpose of
2202 providing eligible housing:

2203 (a) At least 65 percent of the funds made available in
2204 each county and eligible municipality from the local housing
2205 distribution must be reserved for home ownership for eligible
2206 persons, with at least one-third of those funds going to home
2207 ownership for very-low-income persons.

2208
2209 If both an award under the local housing assistance plan and
2210 federal low-income housing tax credits are used to assist a
2211 project and there is a conflict between the criteria prescribed
2212 in this subsection and the requirements of s. 42 of the Internal
2213 Revenue Code of 1986, as amended, the county or eligible
2214 municipality may resolve the conflict by giving precedence to

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2215 | the requirements of s. 42 of the Internal Revenue Code of 1986,
2216 | as amended, in lieu of following the criteria prescribed in this
2217 | subsection with the exception of paragraphs (a) and (d) of this
2218 | subsection.

2219 | (5) In order to assist in the recruitment and retention of
2220 | essential service personnel, such as teachers and educators,
2221 | police and fire personnel, health care personnel, skilled
2222 | building trades personnel, and other job categories in which the
2223 | personnel are defined as essential services personnel within the
2224 | annual local State Housing Initiatives Partnership Program under
2225 | s. 420.9072, as set forth in s. 420.5095(4)(e), the following
2226 | shall be included in the local housing assistance plan:

2227 | (a) Down payment assistance shall be provided to an
2228 | eligible person who meets the following criteria, in addition to
2229 | other requirements of the plan. The person:

2230 | 1. Shall be employed full time in an essential service
2231 | occupation or skilled building trade.

2232 | 2. Shall declare his or her homestead and maintain
2233 | residency at his or her homestead.

2234 | 3. Shall demonstrate a 5-year minimum commitment to
2235 | continued employment in an essential service occupation or
2236 | skilled building trade within the county of current employment.

2237 | (b) Compliance with the eligibility criteria established
2238 | under this subsection shall be verified during the life of the
2239 | loan by the county or eligible municipality.

2240 | (c) The program shall provide down payment assistance in
2241 | an amount to be determined by rule, not to exceed 25 percent of
2242 | purchase price, if the county or eligible municipality within

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2243 | which an eligible recipient is employed provides funding through
 2244 | the State Housing Initiatives Partnership Program to the
 2245 | eligible recipient under ss. 420.907-420.9079, whether solely or
 2246 | in conjunction with a local housing finance agency or a private
 2247 | sector partner.

2248 | (d) Any lien on the recipient's property securing the
 2249 | assistance provided under this subsection shall be released if
 2250 | the recipient fulfills the 5-year commitment specified in
 2251 | subparagraph (a)3.

2252 | (e) Each county and each eligible municipality is
 2253 | encouraged to develop an element within its local housing
 2254 | assistance plan that emphasizes the recruitment and retention of
 2255 | essential service personnel and persons skilled in the building
 2256 | trades.

2257 | (f) Notwithstanding the distribution formula in s.
 2258 | 420.9073, the corporation is authorized to allocate funds to
 2259 | implement this subsection and may allocate funds to projects
 2260 | that are regional or statewide in scope.

2261 | (g) The corporation is authorized to make rules to
 2262 | implement this subsection, including, but not limited to, the
 2263 | allocation of funds and selection of projects for funding under
 2264 | this subsection.

2265 | Section 27. Subsection (6) of section 420.9076, Florida
 2266 | Statutes, is amended to read:

2267 | 420.9076 Adoption of affordable housing incentive
 2268 | strategies; committees.--

2269 | (6) Within 90 days after the date of receipt of the local
 2270 | housing incentive strategies recommendations from the advisory

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2271 | committee, the governing body of the appointing local government
 2272 | shall adopt an amendment to its local housing assistance plan to
 2273 | incorporate the local housing incentive strategies it will
 2274 | implement within its jurisdiction. The amendment must include,
 2275 | at a minimum, the local housing incentive strategies specified
 2276 | ~~as defined~~ in paragraphs (4) (a) - (j) s. 420.9071(16).

2277 | Section 28. Subsection (2) of section 420.9079, Florida
 2278 | Statutes, is amended to read:

2279 | 420.9079 Local Government Housing Trust Fund.--

2280 | (2) The corporation shall administer the fund exclusively
 2281 | for the purpose of implementing the programs described in ss.
 2282 | 420.907-420.9078 and this section. With the exception of
 2283 | monitoring the activities of counties and eligible
 2284 | municipalities to determine local compliance with program
 2285 | requirements, the corporation shall not receive appropriations
 2286 | from the fund for administrative or personnel costs. For the
 2287 | purpose of implementing the compliance monitoring provisions of
 2288 | s. 420.9075 (9) ~~(8)~~, the corporation may request a maximum of one-
 2289 | quarter of 1 percent of the annual appropriation \$200,000 per
 2290 | state fiscal year. When such funding is appropriated, the
 2291 | corporation shall deduct the amount appropriated prior to
 2292 | calculating the local housing distribution pursuant to ss.
 2293 | 420.9072 and 420.9073.

2294 | Section 29. Paragraph (c) of subsection (1) and paragraph
 2295 | (e) of subsection (2) of section 624.5105, Florida Statutes, are
 2296 | amended to read:

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2297 | 624.5105 Community contribution tax credit; authorization;
 2298 | limitations; eligibility and application requirements;
 2299 | administration; definitions; expiration.--

2300 | (1) AUTHORIZATION TO GRANT TAX CREDITS; LIMITATIONS.--

2301 | (c) The total amount of tax credit which may be granted
 2302 | for all programs approved under this section and ss.
 2303 | 212.08(5)(q) and 220.183 is \$10 ~~\$12~~ million annually for
 2304 | projects that provide homeownership opportunities for low-income
 2305 | or very-low-income households as defined in s. 420.9071(19) and
 2306 | (28) and \$3 million annually for all other projects.

2307 | (2) ELIGIBILITY REQUIREMENTS.--

2308 | ~~(e)1. For the first 6 months of the fiscal year, the~~
 2309 | ~~Office of Tourism, Trade, and Economic Development shall reserve~~
 2310 | ~~80 percent of the first \$10 million in available annual tax~~
 2311 | ~~credits, and 70 percent of any available annual tax credits in~~
 2312 | ~~excess of \$10 million, for donations made to eligible sponsors~~
 2313 | ~~for projects that provide homeownership opportunities for low-~~
 2314 | ~~income or very low income households as defined in s.~~
 2315 | ~~420.9071(19) and (28). If any such reserved annual tax credits~~
 2316 | ~~remain after the first 6 months of the fiscal year, the office~~
 2317 | ~~may approve the balance of these available credits for donations~~
 2318 | ~~made to eligible sponsors for projects other than those that~~
 2319 | ~~provide homeownership opportunities for low income or very low-~~
 2320 | ~~income households.~~

2321 | ~~2. For the first 6 months of the fiscal year, the office~~
 2322 | ~~shall reserve 20 percent of the first \$10 million in available~~
 2323 | ~~annual tax credits, and 30 percent of any available annual tax~~
 2324 | ~~credits in excess of \$10 million, for donations made to eligible~~

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2325 ~~sponsors for projects other than those that provide~~
2326 ~~homeownership opportunities for low income or very low income~~
2327 ~~households as defined in s. 420.9071(19) and (28). If any~~
2328 ~~reserved annual tax credits remain after the first 6 months of~~
2329 ~~the fiscal year, the office may approve the balance of these~~
2330 ~~available credits for donations made to eligible sponsors for~~
2331 ~~projects that provide homeownership opportunities for low income~~
2332 ~~or very low income households.~~

2333 1.3. If, during the first 10 business days of the state
2334 fiscal year, eligible tax credit applications for projects that
2335 provide homeownership opportunities for low-income or very-low-
2336 income households as defined in s. 420.9071(19) and (28) are
2337 received for less than the ~~available~~ annual tax credits
2338 available for those projects ~~reserved under subparagraph 1.~~, the
2339 office shall grant tax credits for those applications and shall
2340 grant remaining tax credits on a first-come, first-served basis
2341 for any subsequent eligible applications received before the end
2342 of the ~~first 6 months of the~~ state fiscal year. If, during the
2343 first 10 business days of the state fiscal year, eligible tax
2344 credit applications for projects that provide homeownership
2345 opportunities for low-income or very-low-income households as
2346 defined in s. 420.9071(19) and (28) are received for more than
2347 the ~~available~~ annual tax credits available for those projects
2348 ~~reserved under subparagraph 1.~~, the office shall grant the tax
2349 credits for those ~~the~~ applications as follows:

2350 a. If tax credit applications submitted for approved
2351 projects of an eligible sponsor do not exceed \$200,000 in total,

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2352 the credits shall be granted in full if the tax credit
2353 applications are approved, ~~subject to subparagraph 1.~~

2354 b. If tax credit applications submitted for approved
2355 projects of an eligible sponsor exceed \$200,000 in total, the
2356 amount of tax credits granted under sub-subparagraph a. shall be
2357 subtracted from the amount of available tax credits ~~under~~
2358 ~~subparagraph 1.~~, and the remaining credits shall be granted to
2359 each approved tax credit application on a pro rata basis.

2360 e. ~~If, after the first 6 months of the fiscal year,~~
2361 ~~additional credits become available under subparagraph 2., the~~
2362 ~~office shall grant the tax credits by first granting to those~~
2363 ~~who received a pro rata reduction up to the full amount of their~~
2364 ~~request and, if there are remaining credits, granting credits to~~
2365 ~~those who applied on or after the 11th business day of the state~~
2366 ~~fiscal year on a first come, first served basis.~~

2367 2.4. If, during the first 10 business days of the state
2368 fiscal year, eligible tax credit applications for projects other
2369 than those that provide homeownership opportunities for low-
2370 income or very-low-income households as defined in s.
2371 420.9071(19) and (28) are received for less than the available
2372 annual tax credits available for those projects ~~reserved under~~
2373 ~~subparagraph 2.~~, the office shall grant tax credits for those
2374 applications and shall grant remaining tax credits on a first-
2375 come, first-served basis for any subsequent eligible
2376 applications received before the end of the ~~first 6 months of~~
2377 ~~the~~ state fiscal year. If, during the first 10 business days of
2378 the state fiscal year, eligible tax credit applications for
2379 projects other than those that provide homeownership

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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2380 opportunities for low-income or very-low-income households as
2381 defined in s. 420.9071(19) and (28) are received for more than
2382 the ~~available~~ annual tax credits available for those projects
2383 ~~reserved under subparagraph 2.~~, the office shall grant the tax
2384 credits for those ~~the~~ applications on a pro rata basis. ~~If,~~
2385 ~~after the first 6 months of the fiscal year, additional credits~~
2386 ~~become available under subparagraph 1., the office shall grant~~
2387 ~~the tax credits by first granting to those who received a pro~~
2388 ~~rata reduction up to the full amount of their request and, if~~
2389 ~~there are remaining credits, granting credits to those who~~
2390 ~~applied on or after the 11th business day of the state fiscal~~
2391 ~~year on a first come, first served basis.~~

2392 Section 30. Paragraph (b) of subsection (9) of section
2393 1001.42, Florida Statutes, is amended to read:

2394 1001.42 Powers and duties of district school board.--The
2395 district school board, acting as a board, shall exercise all
2396 powers and perform all duties listed below:

2397 (9) SCHOOL PLANT.--Approve plans for locating, planning,
2398 constructing, sanitating, insuring, maintaining, protecting, and
2399 condemning school property as prescribed in chapter 1013 and as
2400 follows:

2401 (b) Sites, buildings, and equipment.--

2402 1. Select and purchase school sites, playgrounds, and
2403 recreational areas located at centers at which schools are to be
2404 constructed, of adequate size to meet the needs of projected
2405 students to be accommodated.

2406 2. Approve the proposed purchase of any site, playground,
2407 or recreational area for which district funds are to be used.

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- 2408 | 3. Expand existing sites.
- 2409 | 4. Rent buildings when necessary.
- 2410 | 5. Enter into leases or lease-purchase arrangements, in
2411 | accordance with the requirements and conditions provided in s.
2412 | 1013.15(2), with private individuals or corporations for the
2413 | rental of necessary grounds and educational facilities for
2414 | school purposes or of educational facilities to be erected for
2415 | school purposes. Current or other funds authorized by law may be
2416 | used to make payments under a lease-purchase agreement.
2417 | Notwithstanding any other statutes, if the rental is to be paid
2418 | from funds received from ad valorem taxation and the agreement
2419 | is for a period greater than 12 months, an approving referendum
2420 | must be held. The provisions of such contracts, including
2421 | building plans, shall be subject to approval by the Department
2422 | of Education, and no such contract shall be entered into without
2423 | such approval. As used in this section, "educational facilities"
2424 | means the buildings and equipment that are built, installed, or
2425 | established to serve educational purposes and that may lawfully
2426 | be used. The State Board of Education may adopt such rules as
2427 | are necessary to implement these provisions.
- 2428 | 6. Provide for the proper supervision of construction.
- 2429 | 7. Make or contract for additions, alterations, and
2430 | repairs on buildings and other school properties.
- 2431 | 8. Ensure that all plans and specifications for buildings
2432 | provide adequately for the safety and well-being of students, as
2433 | well as for economy of construction.

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2434 9. Provide affordable housing for teachers and other
 2435 instructional personnel independently or in conjunction with
 2436 other agencies as described in s. 1001.43(5).

2437 Section 31. The Florida Housing Finance Corporation may
 2438 adopt rules pursuant to ss. 120.536(1) and 120.54, Florida
 2439 Statutes, as necessary to implement the provisions of this act.

2440 Section 32. The sum of \$20 million is appropriated from
 2441 the State Housing Trust Fund to the Florida Housing Finance
 2442 Corporation for the 2006-2007 fiscal year to provide funds to
 2443 teachers eligible for affordable housing pursuant to s. 420.5088
 2444 or s. 420.5089, Florida Statutes, and to assist in teacher
 2445 retention and recruitment as a response to the state's teacher
 2446 shortage.

2447 Section 33. The sum of \$32 million is appropriated from
 2448 the Local Government Housing Trust Fund to the Florida Housing
 2449 Finance Corporation for the 2006-2007 fiscal year to assist in
 2450 production of housing units for extremely low income persons.

2451 Section 34. Except as otherwise expressly provided in this
 2452 act, this act shall take effect July 1, 2006.