

1 A bill to be entitled
2 An act relating to affordable housing; creating s.
3 125.379, F.S.; providing for disposition of county
4 property for affordable housing; amending s. 163.31771,
5 F.S., relating to accessory dwelling units; revising
6 legislative findings and definitions; conforming cross-
7 references; creating s. 163.31772, F.S.; providing
8 legislative findings and intent relating to changes in
9 land use affecting mobile home parks; providing
10 definitions; providing requirements for local governments
11 and community redevelopment agencies regarding specified
12 funding sources to provide financial assistance to certain
13 mobile home owners; providing requirements for mobile home
14 owners to qualify for financial assistance; authorizing
15 local governments to permit and approve rezoning of
16 property for the development of new mobile home parks;
17 providing that a local government or redevelopment agency
18 may enter into a development agreement with the owner of a
19 mobile home park to encourage its continued use for
20 affordable housing; providing rulemaking authority;
21 limiting the length of certain development agreements;
22 amending s. 163.3187, F.S.; revising a limitation relating
23 to small scale comprehensive plan amendments involving the
24 construction of affordable housing units; creating s.
25 166.0451, F.S.; providing for disposition of municipal
26 property for affordable housing; amending s. 189.4155,
27 F.S.; authorizing independent special districts to provide

28 | for housing and housing assistance; amending s. 191.006,
29 | F.S.; authorizing independent special fire control
30 | districts to provide employee housing and housing
31 | assistance; creating s. 193.018, F.S.; creating the Manny
32 | Diaz Affordable Housing Property Tax Relief Initiative;
33 | providing criteria for assessing just valuation of
34 | affordable housing properties serving persons of low,
35 | moderate, very-low, and extremely-low incomes; amending s.
36 | 196.1978, F.S.; specifying what constitutes a nonprofit
37 | entity for purposes of affordable housing property tax
38 | exemption; conforming cross-references; amending s.
39 | 253.034, F.S.; providing for the disposition of state
40 | lands for affordable housing; amending s. 253.0341, F.S.;
41 | authorizing local governments to request state lands be
42 | declared surplus for the purpose of affordable housing;
43 | providing for use of lands that are declared surplus;
44 | amending s. 295.16, F.S.; expanding the disabled veteran
45 | exemption from certain license and permit fees relating to
46 | dwelling improvements; amending s. 376.30781, F.S.;
47 | providing tax credits for eligible applicants; amending s.
48 | 380.06, F.S.; providing a greater substantial deviation
49 | threshold for the provision of affordable housing in a
50 | development of regional impact; conforming cross-
51 | references; amending s. 380.0651, F.S.; providing a
52 | statewide guidelines and standards bonus for the provision
53 | of workforce housing; amending s. 420.0004, F.S.; defining
54 | the term "extremely-low-income persons"; conforming cross-

55 | references; amending s. 420.37, F.S., relating to
56 | additional powers of the Florida Housing Finance
57 | Corporation; providing for additional powers of the
58 | Florida Department of Community Affairs; amending s.
59 | 420.503, F.S.; revising the definition of the term
60 | "farmworker" under the Florida Housing Finance Corporation
61 | Act; providing rulemaking authority; amending s. 420.5061,
62 | F.S.; conforming a cross-reference; amending s. 420.507,
63 | F.S.; revising and expanding the powers of the Florida
64 | Housing Finance Corporation relating to mortgage loan
65 | interest rates, loans, loan relief, uses of loan funds,
66 | subsidiary business entities, and data reporting;
67 | providing rulemaking authority; amending s. 420.5087,
68 | F.S.; increasing the population criteria for the State
69 | Apartment Incentive Loan Program; revising criteria for
70 | loans; conforming cross-references; amending s. 420.5088,
71 | F.S.; expanding the scope of the Florida Homeownership
72 | Assistance Program; revising loan requirements; deleting a
73 | provision reserving program funds for certain borrowers;
74 | repealing s. 420.530, F.S., relating to the State Farm
75 | Worker Housing Pilot Loan Program; amending s. 420.9071,
76 | F.S.; conforming a cross-reference; amending s. 420.9072,
77 | F.S.; conforming cross-references; amending s. 420.9075,
78 | F.S.; requiring local housing assistance plans to define
79 | essential service personnel for the county or eligible
80 | municipality and to contain a strategy for the recruitment
81 | and retention of such personnel; amending s. 420.9076,

82 F.S.; conforming a cross-reference; amending s. 420.9079,
83 F.S.; revising the maximum appropriation the Florida
84 Housing Finance Corporation may request each state fiscal
85 year; conforming a cross-reference; amending s. 1001.43,
86 F.S.; authorizing district school boards to provide
87 affordable housing for teachers and other district
88 personnel; amending s. 723.0612, F.S.; requiring local
89 governments to allow the owner of a mobile home or a
90 recreational vehicle park to change the use of park land
91 to a single-family residential or multi-family land use
92 under certain conditions; creating the Community Workforce
93 Housing Innovation Pilot Program; provides legislative
94 findings; providing definitions; providing the Florida
95 Housing Finance Corporation with certain powers and
96 responsibilities relating to the program; requiring the
97 program to target certain entities; providing application
98 requirements; authorizing an applicant to use a nonprofit
99 or public entity to manage its housing program; providing
100 incentives for program applicants; providing rulemaking
101 authority; requires a report to the Governor and
102 Legislature; authorizing local governments to provide
103 density bonus incentives to landowners who donate fee
104 simple interest in real property to the local government
105 for the purpose of assisting the local government in
106 providing affordable housing; providing definitions and
107 requirements governing such donations and density bonuses;
108 requiring the Department of Community Affairs to establish

109 a Home Retrofit Hardening Program and establishing
 110 requirements for the program; requiring the Department of
 111 Community Affairs to establish a Disaster Recovery
 112 Assistance Program and establishing requirements for the
 113 program; authorizing the Florida Housing Finance
 114 Corporation to provide funds to eligible entities for
 115 affordable housing recovery in areas of the state
 116 sustaining hurricane damage due to hurricanes during 2004
 117 and 2005; providing legislative findings and emergency
 118 rulemaking authority; providing appropriations; providing
 119 effective dates.

120

121 Be It Enacted by the Legislature of the State of Florida:

122

123 Section 1. Section 125.379, Florida Statutes, is created
 124 to read:

125 125.379 Disposition of county property for affordable
 126 housing.--

127 (1) By July 1, 2007, and every 3 years thereafter, each
 128 county shall prepare an inventory list of all real property
 129 within its jurisdiction to which the county holds fee simple
 130 title that is appropriate for use as affordable housing. The
 131 inventory list must include the address and legal description of
 132 each such real property and specify whether the property is
 133 vacant or improved. The governing body of the county must review
 134 the inventory list at a public hearing and may revise it at the
 135 conclusion of the public hearing. The governing body of the

136 county shall adopt a resolution that includes an inventory list
137 of such property following the public hearing.

138 (2) The properties identified as appropriate for use as
139 affordable housing on the inventory list adopted by the county
140 may be offered for sale and the proceeds used to purchase land
141 for the development of affordable housing or to increase the
142 local government fund earmarked for affordable housing, or may
143 be sold with a restriction that requires the development of the
144 property as permanent affordable housing, or may be donated to a
145 nonprofit housing organization for the construction of permanent
146 affordable housing. Alternatively, the county may otherwise make
147 the property available for use for the production and
148 preservation of permanent affordable housing. For purposes of
149 this section, the term "affordable" has the same meaning as in
150 s. 420.0004(3).

151 Section 2. Subsections (1) and (4) and paragraphs (b),
152 (d), (e), and (f) of subsection (2) of section 163.31771,
153 Florida Statutes, are amended, and paragraph (g) is added to
154 subsection (2) of that section, to read:

155 163.31771 Accessory dwelling units.--

156 (1) The Legislature finds that the median price of homes
157 in this state has increased steadily over the last decade and at
158 a greater rate of increase than the median income in many urban
159 areas. The Legislature finds that the cost of rental housing has
160 also increased steadily and the cost often exceeds an amount
161 that is affordable to extremely-low-income, very-low-income,
162 low-income, or moderate-income persons and has resulted in a

163 critical shortage of affordable rentals in many urban areas in
164 the state. This shortage of affordable rentals constitutes a
165 threat to the health, safety, and welfare of the residents of
166 the state. Therefore, the Legislature finds that it serves an
167 important public purpose to encourage the permitting of
168 accessory dwelling units in single-family residential areas in
169 order to increase the availability of affordable rentals for
170 extremely-low-income, very-low-income, low-income, or moderate-
171 income persons.

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

173 (b) "Affordable rental" means that monthly rent and
174 utilities do not exceed 30 percent of that amount which
175 represents the percentage of the median adjusted gross annual
176 income for extremely-low-income, very-low-income, low-income, or
177 moderate-income persons.

178 (d) "Low-income persons" has the same meaning as in s.
179 420.0004 (10) ~~(9)~~.

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

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

184 (g) "Extremely-low-income persons" has the same meaning as
185 in s. 420.0004 (8).

186 (4) If the local government adopts an ordinance under this
187 section, an application for a building permit to construct an
188 accessory dwelling unit must include an affidavit from the
189 applicant which attests that the unit will be rented at an

190 affordable rate to an extremely-low-income, a very-low-income,
191 low-income, or moderate-income person or persons.

192 Section 3. Section 163.31772, Florida Statutes, is created
193 to read:

194 163.31772 Mobile home parks; change in use of land;
195 legislative findings and intent.--

196 (1) The Legislature finds that:

197 (a) Mobile home parks provide safe and affordable housing
198 to many residents of this state;

199 (b) The rising price of real estate in this state is
200 causing significant loss of affordable housing, including mobile
201 home parks;

202 (c) Some mobile home park residents are being evicted and
203 forced to relocate from their communities due to the change in
204 the use of land from mobile home park rentals to some other use;

205 (d) The loss of this type of affordable housing is of
206 statewide concern; and

207 (e) Local governments benefit from the redevelopment of
208 these mobile home parks through increased local and state tax
209 revenues but may not have authority to use all available funding
210 and revenue sources to assist these displaced residents.

211 (2) It is the intent of the Legislature that local
212 governments and redevelopment agencies assist in the relocation
213 of and the provision of assistance to mobile home owners and are
214 authorized to use all available funding sources to further this
215 intent.

216 (3) As used in this section, the term:

217 (a) "Affordable" has the same meaning as provided in s.
 218 420.602.

219 (b) "Community redevelopment agency" has the same meaning
 220 as provided in s. 163.340.

221 (c) "Local government" means a county or municipality.

222 (d) "Mobile home park" has the same meaning as provided in
 223 s. 723.003.

224 (4) Any local government or community redevelopment agency
 225 having jurisdiction over a mobile home park that is being closed
 226 due to a change in the use of land may provide financial
 227 assistance to any mobile home resident who is displaced as a
 228 result of the change in use and who meets the requirements of
 229 subsection (5) to:

230 (a) Assist the homeowner with the cost of relocating his
 231 or her home;

232 (b) Assist the homeowner in purchasing a new manufactured
 233 or mobile home if the home he or she is currently occupying is
 234 not capable of being moved to another location; and

235 (c) Assist the homeowner in relocating to any other
 236 adequate and suitable housing.

237
 238 The financial assistance provided under this subsection to each
 239 qualified homeowner shall be made as a supplement to the funds
 240 provided to each qualified homeowner under the Florida Mobile
 241 Home Relocation Trust Fund.

242 (5) In order to receive supplemental financial assistance
 243 under subsection (4) from the local government or community

244 redevelopment agency, the displaced mobile home owner must
 245 qualify as a very-low-income, low-income, or moderate-income
 246 person as defined in s. 420.0004.

247
 248 Notwithstanding any other provision of law, a local government
 249 or community redevelopment agency is authorized, for the
 250 purposes described in subsection (4), to use revenues derived
 251 from sources that include, but need not be limited to, tax
 252 increment financing pursuant to s. 163.387, urban infill and
 253 redevelopment funds pursuant to s. 163.2523, general revenue
 254 funding, housing loan assistance programs, documentary stamp tax
 255 revenues derived from the redevelopment of the property which
 256 are available to the local government, and impact and permit
 257 fees derived from the redevelopment of the property.

258 (6) A local government may take action to permit and
 259 approve the rezoning of property for development of new mobile
 260 home parks for the purpose of providing new homes or affordable
 261 housing or for the relocation of mobile home owners who are
 262 displaced by a change in the use of land.

263 (7) Any local government or community redevelopment agency
 264 having jurisdiction over a mobile home park providing affordable
 265 housing as defined in this section may enter into a development
 266 agreement with the owner of the mobile home park to encourage
 267 the continued use of the mobile home park for affordable housing
 268 by incentives, including, but not limited to:

269 (a) Awarding transferable development credits to the
 270 community. The Department of Community Affairs shall provide

271 technical assistance to local governments in order to promote
272 the transfer of development rights for mobile home park owners
273 who provide affordable housing. The department may adopt rules
274 pursuant to ss. 120.536(1) and 120.54 to administer this
275 paragraph;

276 (b) Providing tax incentives, such as property tax
277 abatement, for providing affordable housing; and

278 (c) Providing housing assistance to the mobile home park
279 owner for the difference between the lot rental amount paid by
280 the homeowners and either the lot rental amount charged in
281 comparable mobile home parks that have similar facilities,
282 services, amenities, and management or based upon the rental
283 value of the property being dedicated to affordable housing
284 based upon the property's fair market value. The Department of
285 Community Affairs shall provide technical assistance to local
286 governments in order to promote housing assistance to mobile
287 home park owners who provide affordable housing in urban areas.
288 The department shall adopt rules pursuant to ss. 120.536(1) and
289 120.54 to administer this paragraph.

290
291 Any development agreement entered into under this subsection
292 shall have a term that does not exceed 10 years.

293 Section 4. Paragraph (c) of subsection (1) of section
294 163.3187, Florida Statutes, is amended to read:

295 163.3187 Amendment of adopted comprehensive plan.--

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

299 (c) Any local government comprehensive plan amendments
300 directly related to proposed small scale development activities
301 may be approved without regard to statutory limits on the
302 frequency of consideration of amendments to the local
303 comprehensive plan. A small scale development amendment may be
304 adopted only under the following conditions:

305 1. The proposed amendment involves a use of 10 acres or
306 fewer and:

307 a. The cumulative annual effect of the acreage for all
308 small scale development amendments adopted by the local
309 government shall not exceed:

310 (I) A maximum of 120 acres in a local government that
311 contains areas specifically designated in the local
312 comprehensive plan for urban infill, urban redevelopment, or
313 downtown revitalization as defined in s. 163.3164, urban infill
314 and redevelopment areas designated under s. 163.2517,
315 transportation concurrency exception areas approved pursuant to
316 s. 163.3180(5), or regional activity centers and urban central
317 business districts approved pursuant to s. 380.06(2)(e);
318 however, amendments under this paragraph may be applied to no
319 more than 60 acres annually of property outside the designated
320 areas listed in this sub-sub-subparagraph. Amendments adopted
321 pursuant to paragraph (k) shall not be counted toward the

322 acreage limitations for small scale amendments under this
323 paragraph.

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

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

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

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

334 d. The proposed amendment does not involve a text change
335 to the goals, policies, and objectives of the local government's
336 comprehensive plan, but only proposes a land use change to the
337 future land use map for a site-specific small scale development
338 activity.

339 e. The property that is the subject of the proposed
340 amendment is not located within an area of critical state
341 concern, unless the project subject to the proposed amendment
342 involves the construction of affordable housing units meeting
343 the criteria of s. 420.0004(3), and is located within an area of
344 critical state concern designated by s. 380.0552 or by the
345 Administration Commission pursuant to s. 380.05(1). Such
346 amendment is not subject to the density limitations of sub-
347 subparagraph f., and shall be reviewed by the state land
348 planning agency for consistency with the principles for guiding

349 development applicable to the area of critical state concern
 350 where the amendment is located and shall not become effective
 351 until a final order is issued under s. 380.05(6).

352 f. If the proposed amendment involves a residential land
 353 use, the residential land use has a density of 10 units or less
 354 per acre or the proposed future land use category allows a
 355 maximum residential density of the same or less than the maximum
 356 residential density allowable under the existing future land use
 357 category, except that this limitation does not apply to small
 358 scale amendments involving the construction of affordable
 359 housing units meeting the criteria of s. 420.0004(3) on property
 360 which will be the subject of a land use restriction agreement ~~or~~
 361 ~~extended use agreement recorded in conjunction with the issuance~~
 362 ~~of tax exempt bond financing or an allocation of federal tax~~
 363 ~~credits issued through the Florida Housing Finance Corporation~~
 364 ~~or a local housing finance authority authorized by the Division~~
 365 ~~of Bond Finance of the State Board of Administration, or small~~
 366 scale amendments described in sub-sub-subparagraph a.(I) that
 367 are designated in the local comprehensive plan for urban infill,
 368 urban redevelopment, or downtown revitalization as defined in s.
 369 163.3164, urban infill and redevelopment areas designated under
 370 s. 163.2517, transportation concurrency exception areas approved
 371 pursuant to s. 163.3180(5), or regional activity centers and
 372 urban central business districts approved pursuant to s.
 373 380.06(2)(e).

374 2.a. A local government that proposes to consider a plan
 375 amendment pursuant to this paragraph is not required to comply

376 with the procedures and public notice requirements of s.
 377 163.3184(15)(c) for such plan amendments if the local government
 378 complies with the provisions in s. 125.66(4)(a) for a county or
 379 in s. 166.041(3)(c) for a municipality. If a request for a plan
 380 amendment under this paragraph is initiated by other than the
 381 local government, public notice is required.

382 b. The local government shall send copies of the notice
 383 and amendment to the state land planning agency, the regional
 384 planning council, and any other person or entity requesting a
 385 copy. This information shall also include a statement
 386 identifying any property subject to the amendment that is
 387 located within a coastal high-hazard area as identified in the
 388 local comprehensive plan.

389 3. Small scale development amendments adopted pursuant to
 390 this paragraph require only one public hearing before the
 391 governing board, which shall be an adoption hearing as described
 392 in s. 163.3184(7), and are not subject to the requirements of s.
 393 163.3184(3)-(6) unless the local government elects to have them
 394 subject to those requirements.

395 4. If the small scale development amendment involves a
 396 site within an area that is designated by the Governor as a
 397 rural area of critical economic concern under s. 288.0656(7) for
 398 the duration of such designation, the 10-acre limit listed in
 399 subparagraph 1. shall be increased by 100 percent to 20 acres.
 400 The local government approving the small scale plan amendment
 401 shall certify to the Office of Tourism, Trade, and Economic
 402 Development that the plan amendment furthers the economic

403 objectives set forth in the executive order issued under s.
404 288.0656(7), and the property subject to the plan amendment
405 shall undergo public review to ensure that all concurrency
406 requirements and federal, state, and local environmental permit
407 requirements are met.

408 Section 5. Section 166.0451, Florida Statutes, is created
409 to read:

410 166.0451 Disposition of municipal property for affordable
411 housing.--

412 (1) By July 1, 2007, and every 3 years thereafter, each
413 municipality shall prepare an inventory list of all real
414 property within its jurisdiction to which the municipality holds
415 fee simple title that is appropriate for use as affordable
416 housing. The inventory list must include the address and legal
417 description of each such property and specify whether the
418 property is vacant or improved. The governing body of the
419 municipality must review the inventory list at a public hearing
420 and may revise it at the conclusion of the public hearing.
421 Following the public hearing, the governing body of the
422 municipality shall adopt a resolution that includes an inventory
423 list of such property.

424 (2) The properties identified as appropriate for use as
425 affordable housing on the inventory list adopted by the
426 municipality may be offered for sale and the proceeds may be
427 used to purchase land for the development of affordable housing
428 or to increase the local government fund earmarked for
429 affordable housing, or may be sold with a restriction that

430 requires the development of the property as permanent affordable
431 housing, or may be donated to a nonprofit housing organization
432 for the construction of permanent affordable housing.

433 Alternatively, the municipality may otherwise make the property
434 available for use for the production and preservation of
435 permanent affordable housing. For purposes of this section, the
436 term "affordable" has the same meaning as in s. 420.0004(3).

437 Section 6. Subsections (6) and (7) are added to section
438 189.4155, Florida Statutes, to read:

439 189.4155 Activities of special districts; local government
440 comprehensive planning.--

441 (6) Any independent special district created pursuant to
442 chapter 190 is authorized to provide housing and housing
443 assistance for persons whose total annual household income does
444 not exceed 140 percent of the area median income, adjusted for
445 family size.

446 (7) Any independent special district created pursuant to
447 special act or general law, including, but not limited to, this
448 chapter and chapter 298, for the purpose of providing urban
449 infrastructure or services is authorized to provide housing and
450 housing assistance for its employed personnel whose total annual
451 household income does not exceed 140 percent of the area median
452 income, adjusted for family size.

453 Section 7. Subsection (19) is added to section 191.006,
454 Florida Statutes, to read:

455 191.006 General powers.--The district shall have, and the
456 board may exercise by majority vote, the following powers:

457 (19) To provide housing and housing assistance for its
458 employed personnel whose total annual household income does not
459 exceed 140 percent of the area median income, adjusted for
460 family size.

461 Section 8. Section 193.018, Florida Statutes, is created
462 to read:

463 193.018 The Manny Diaz Affordable Housing Property Tax
464 Relief Initiative.--For the purpose of assessing just valuation
465 of affordable housing properties serving persons with income
466 limits defined as extremely-low, low, moderate, and very-low, as
467 specified in s. 420.0004(8), (10), (11), and (15), the actual
468 rental income from rent-restricted units in such a property
469 shall be considered by the property appraiser for assessment
470 purposes, and a rental income approach pursuant to s. 193.011(7)
471 may be used for assessment of the following affordable housing
472 properties:

473 (1) Property that is funded by the United States
474 Department of Housing and Urban Development under s. 8 of the
475 United States Housing Act of 1937 that is used to provide
476 affordable housing serving eligible persons as defined by s.
477 159.603(7) and elderly persons, extremely-low-income persons,
478 and very-low-income persons as defined by s. 420.0004(7), (8),
479 and (15) and that has undergone financial restructuring as
480 provided in s. 501, Title V, Subtitle A of the Multifamily
481 Assisted Housing Reform and Affordability Act of 1997;

482 (2) Multifamily, farmworker, or elderly rental properties
483 that are funded by the Florida Housing Finance Corporation under

484 ss. 420.5087 and 420.5089 and the State Housing Initiatives
 485 Partnership Program under ss. 420.9072 and 420.9075, s. 42 of
 486 the Internal Revenue Code, 26 U.S.C. s. 42; the HOME Investment
 487 Partnership Program under the Cranston-Gonzalez National
 488 Affordable Housing Act, 42 U.S.C. ss. 12741 et seq.; or the
 489 Federal Home Loan Banks' Affordable Housing Program established
 490 pursuant to the Financial Institutions Reform, Recovery and
 491 Enforcement Act of 1989, Pub. L. No. 101-73; or

492 (3) Multifamily residential rental properties of 10 or
 493 more units that are deed restricted as affordable housing and
 494 certified by the local housing agency as having at least 95
 495 percent of its units providing affordable housing to extremely-
 496 low-income persons, very-low-income persons, low-income persons,
 497 and moderate-income persons as defined by s. 420.0004(8), (15),
 498 (10), and (11).

499 Section 9. Section 196.1978, Florida Statutes, is amended
 500 to read:

501 196.1978 Affordable housing property exemption.--

502 (1) Property used to provide affordable housing serving
 503 eligible persons as defined by s. 159.603(7) and persons meeting
 504 income limits specified in s. 420.0004(8), (10)-(9), (11)-(10),
 505 and (15)-(14), which property is owned entirely by a nonprofit
 506 entity which is qualified as charitable under s. 501(c)(3) of
 507 the Internal Revenue Code and which complies with Rev. Proc. 96-
 508 32, 1996-1 C.B. 717, shall be considered property owned by an
 509 exempt entity and used for a charitable purpose, and those
 510 portions of the affordable housing property which provide

511 housing to individuals with incomes as defined in s.
 512 420.0004(8), (10), ~~(9)~~ and (15)~~(14)~~ shall be exempt from ad
 513 valorem taxation to the extent authorized in s. 196.196.

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

516 (a) A corporation not for profit; or

517 (b) A Florida limited partnership the sole general partner
 518 of which is either a corporation not for profit or a Florida
 519 limited liability company or corporation the sole member or
 520 shareholder, respectively, of which is a corporation not for
 521 profit.

522 (3) All property owned by a nonprofit entity identified in
 523 this section shall comply with the criteria for determination of
 524 exempt status to be applied by property appraisers on an annual
 525 basis as defined in s. 196.195. In order to qualify for exempt
 526 status, the nonprofit entity must affirmatively demonstrate to
 527 the property appraiser that no part of the subject property, or
 528 the sale, lease, or other disposition of the assets of the
 529 property, will inure to the benefit of its member, officers,
 530 limited liability partners, or any person or firm operating for
 531 profit or for a nonexempt purpose, except for those required by
 532 Section 42 of the Internal Revenue Code for the development or
 533 syndication of the property. The Legislature intends that any
 534 property owned by a limited liability company which is
 535 disregarded as an entity for federal income tax purposes
 536 pursuant to Treasury Regulation 301.7701-3(b)(1)(ii) shall be
 537 treated as owned by its sole member.

538 Section 10. Paragraph (f) of subsection (6) of section
 539 253.034, Florida Statutes, is amended to read:

540 253.034 State-owned lands; uses.--

541 (6) The Board of Trustees of the Internal Improvement
 542 Trust Fund shall determine which lands, the title to which is
 543 vested in the board, may be surplused. For conservation lands,
 544 the board shall make a determination that the lands are no
 545 longer needed for conservation purposes and may dispose of them
 546 by an affirmative vote of at least three members. In the case of
 547 a land exchange involving the disposition of conservation lands,
 548 the board must determine by an affirmative vote of at least
 549 three members that the exchange will result in a net positive
 550 conservation benefit. For all other lands, the board shall make
 551 a determination that the lands are no longer needed and may
 552 dispose of them by an affirmative vote of at least three
 553 members.

554 (f)1. In reviewing lands owned by the board, the council
 555 shall consider whether such lands would be more appropriately
 556 owned or managed by the county or other unit of local government
 557 in which the land is located. The council shall recommend to the
 558 board whether a sale, lease, or other conveyance to a local
 559 government would be in the best interests of the state and local
 560 government. The provisions of this paragraph in no way limit the
 561 provisions of ss. 253.111 and 253.115. Such lands shall be
 562 offered to the state, county, or local government for a period
 563 of 30 days. Permittable uses for such surplus lands may include
 564 public schools; public libraries; fire or law enforcement

565 substations; ~~and~~ governmental, judicial, or recreational
566 centers; and affordable housing meeting the criteria of s.
567 420.0004(3). County or local government requests for surplus
568 lands shall be expedited throughout the surplus process. If
569 the county or local government does not elect to purchase such
570 lands in accordance with s. 253.111, then any surplus
571 determination involving other governmental agencies shall be
572 made upon the board deciding the best public use of the lands.
573 Surplus properties in which governmental agencies have expressed
574 no interest shall then be available for sale on the private
575 market.

576 2. Notwithstanding subparagraph 1., any surplus lands that
577 were acquired by the state prior to 1958 by a gift or other
578 conveyance for no consideration from a municipality, and which
579 the department has filed by July 1, 2006, a notice of its intent
580 to surplus, shall be first offered for reconveyance to such
581 municipality at no cost, but for the fair market value of any
582 building or other improvements to the land, unless otherwise
583 provided in a deed restriction of record. This subparagraph
584 expires July 1, 2006.

585 Section 11. Section 253.0341, Florida Statutes, is amended
586 to read:

587 253.0341 Surplus of state-owned lands to counties or local
588 governments.--Counties and local governments may submit
589 surplus requests for state-owned lands directly to the board
590 of trustees. County or local government requests for the state
591 to surplus conservation or nonconservation lands, whether for

592 purchase or exchange, shall be expedited throughout the
593 surplus process. Property jointly acquired by the state and
594 other entities shall not be surplus without the consent of all
595 joint owners.

596 (1) The decision to surplus state-owned nonconservation
597 lands may be made by the board without a review of, or a
598 recommendation on, the request from the Acquisition and
599 Restoration Council or the Division of State Lands. Such
600 requests for nonconservation lands shall be considered by the
601 board within 60 days of the board's receipt of the request.

602 (2) County or local government requests for the surplus
603 of state-owned conservation lands are subject to review of, and
604 recommendation on, the request to the board by the Acquisition
605 and Restoration Council. Requests to surplus conservation lands
606 shall be considered by the board within 120 days of the board's
607 receipt of the request.

608 (3) A local government may request that state lands be
609 specifically declared surplus lands for the purpose of providing
610 affordable housing. The request shall comply with the
611 requirements of subsection (1) if the lands are nonconservation
612 lands or subsection (2) if the lands are conservation lands.
613 Surplus lands that are conveyed to a local government for
614 affordable housing shall be disposed of by the local government
615 under the provisions of s. 125.379 or s. 166.0451.

616 Section 12. Section 295.16, Florida Statutes, is amended
617 to read:

618 295.16 Disabled veterans exempt from certain license or
 619 permit fee.--No totally and permanently disabled veteran who is
 620 a resident of Florida and honorably discharged from the Armed
 621 Forces, who has been issued a valid identification card by the
 622 Department of Veterans' Affairs in accordance with s. 295.17 or
 623 has been determined by the United States Department of Veterans
 624 Affairs or its predecessor to have a service-connected 100-
 625 percent disability rating for compensation, or who has been
 626 determined to have a service-connected disability rating of 100
 627 percent and is in receipt of disability retirement pay from any
 628 branch of the uniformed armed services, shall be required to pay
 629 any license or permit fee, by whatever name known, to any county
 630 or municipality in order to make improvements upon a dwelling
 631 ~~mobile home~~ owned by the veteran which is used as the veteran's
 632 residence, provided such improvements are limited to ramps,
 633 widening of doors, and similar improvements for the purpose of
 634 making the dwelling ~~mobile home~~ habitable for veterans confined
 635 to wheelchairs.

636 Section 13. Subsection (13) is added to section 376.30781,
 637 Florida Statutes, to read:

638 376.30781 Partial tax credits for rehabilitation of
 639 drycleaning-solvent-contaminated sites and brownfield sites in
 640 designated brownfield areas; application process; rulemaking
 641 authority; revocation authority.--

642 (13) An applicant that provides affordable housing meeting
 643 the criteria of s. 420.0004(3) shall be considered eligible for
 644 funding under this section if the applicant can certify that it

645 is a corporate affiliate or a subsidiary of a corporate parent,
 646 that it has an agreement with the party that entered into a
 647 voluntary cleanup agreement with the Department of Environmental
 648 Protection for a drycleaning-solvent-contaminated site or a
 649 brownfield site, or that it has a Brownfield Site Rehabilitation
 650 Agreement. If the applicant can certify that it qualifies for
 651 funding through such certification but has been denied tax
 652 credits in the previous year, the applicant may reapply in the
 653 following year one time for the total amount of credits that
 654 were denied.

655 Section 14. Paragraphs (b) and (e) of subsection (19) of
 656 section 380.06, Florida Statutes, are amended, and paragraph (i)
 657 is added to that subsection, to read:

658 380.06 Developments of regional impact.--

659 (19) SUBSTANTIAL DEVIATIONS.--

660 (b) Any proposed change to a previously approved
 661 development of regional impact or development order condition
 662 which, either individually or cumulatively with other changes,
 663 exceeds any of the following criteria shall constitute a
 664 substantial deviation and shall cause the development to be
 665 subject to further development-of-regional-impact review without
 666 the necessity for a finding of same by the local government:

667 1. An increase in the number of parking spaces at an
 668 attraction or recreational facility by 5 percent or 300 spaces,
 669 whichever is greater, or an increase in the number of spectators
 670 that may be accommodated at such a facility by 5 percent or
 671 1,000 spectators, whichever is greater.

672 2. A new runway, a new terminal facility, a 25-percent
673 lengthening of an existing runway, or a 25-percent increase in
674 the number of gates of an existing terminal, but only if the
675 increase adds at least three additional gates.

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

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

680 5. An increase in the average annual acreage mined by 5
681 percent or 10 acres, whichever is greater, or an increase in the
682 average daily water consumption by a mining operation by 5
683 percent or 300,000 gallons, whichever is greater. An increase in
684 the size of the mine by 5 percent or 750 acres, whichever is
685 less. An increase in the size of a heavy mineral mine as defined
686 in s. 378.403(7) will only constitute a substantial deviation if
687 the average annual acreage mined is more than 500 acres and
688 consumes more than 3 million gallons of water per day.

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

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

695 8. An increase of development at a waterport of wet
696 storage for 20 watercraft, dry storage for 30 watercraft, or
697 wet/dry storage for 60 watercraft in an area identified in the
698 state marina siting plan as an appropriate site for additional

699 waterport development or a 5-percent increase in watercraft
700 storage capacity, whichever is greater.

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

703 10. An increase in the number of dwelling units by 50
704 percent, or 200 units, whichever is greater, provided that 15
705 percent of the proposed additional dwelling units are dedicated
706 to affordable workforce housing, subject to a recorded land use
707 restriction that shall be for a period of not less than 20 years
708 and that includes resale provisions to ensure long-term
709 affordability for income-eligible homeowners and renters and
710 provisions for the workforce housing to be commenced prior to
711 the completion of 50 percent of the market rate dwelling. For
712 purposes of this subparagraph, the term "affordable workforce
713 housing" means housing that is affordable to a person who earns
714 less than 120 percent of the area median income, or less than
715 140 percent of the area median income if located in a county in
716 which the median purchase price for a single-family existing
717 home exceeds the statewide median purchase price of a single-
718 family existing home. For purposes of this subparagraph, the
719 term "statewide median purchase price of a single-family
720 existing home" means the statewide purchase price as determined
721 in the Florida Sales Report, Single-Family Existing Homes,
722 released each January by the Florida Association of Realtors and
723 the University of Florida Real Estate Research Center.

724 ~~11.10.~~ An increase in commercial development by 50,000
725 square feet of gross floor area or of parking spaces provided

726 | for customers for 300 cars or a 5-percent increase of either of
 727 | these, whichever is greater.

728 | ~~12.11.~~ An increase in hotel or motel facility units by 5
 729 | percent or 75 units, whichever is greater.

730 | ~~13.12.~~ An increase in a recreational vehicle park area by
 731 | 5 percent or 100 vehicle spaces, whichever is less.

732 | ~~14.13.~~ A decrease in the area set aside for open space of
 733 | 5 percent or 20 acres, whichever is less.

734 | ~~15.14.~~ A proposed increase to an approved multiuse
 735 | development of regional impact where the sum of the increases of
 736 | each land use as a percentage of the applicable substantial
 737 | deviation criteria is equal to or exceeds 100 percent. The
 738 | percentage of any decrease in the amount of open space shall be
 739 | treated as an increase for purposes of determining when 100
 740 | percent has been reached or exceeded.

741 | ~~16.15.~~ A 15-percent increase in the number of external
 742 | vehicle trips generated by the development above that which was
 743 | projected during the original development-of-regional-impact
 744 | review.

745 | ~~17.16.~~ Any change which would result in development of any
 746 | area which was specifically set aside in the application for
 747 | development approval or in the development order for
 748 | preservation or special protection of endangered or threatened
 749 | plants or animals designated as endangered, threatened, or
 750 | species of special concern and their habitat, primary dunes, or
 751 | archaeological and historical sites designated as significant by
 752 | the Division of Historical Resources of the Department of State.

753 The further refinement of such areas by survey shall be
 754 considered under sub-subparagraph (e)5.b.

755
 756 The substantial deviation numerical standards in subparagraphs
 757 4., 6., 10., 11., and 15. ~~14.~~, excluding residential uses, and
 758 16. ~~15.~~, are increased by 100 percent for a project certified
 759 under s. 403.973 which creates jobs and meets criteria
 760 established by the Office of Tourism, Trade, and Economic
 761 Development as to its impact on an area's economy, employment,
 762 and prevailing wage and skill levels. The substantial deviation
 763 numerical standards in subparagraphs 4., 6., 9., 10., 11., 12.,
 764 and 15. ~~14.~~ are increased by 50 percent for a project located
 765 wholly within an urban infill and redevelopment area designated
 766 on the applicable adopted local comprehensive plan future land
 767 use map and not located within the coastal high hazard area.

768 (e)1. Except for a development order rendered pursuant to
 769 subsection (22) or subsection (25), a proposed change to a
 770 development order that individually or cumulatively with any
 771 previous change is less than any numerical criterion contained
 772 in subparagraphs (b)1.-16. ~~(b)1.-15.~~ and does not exceed any
 773 other criterion, or that involves an extension of the buildout
 774 date of a development, or any phase thereof, of less than 5
 775 years is not subject to the public hearing requirements of
 776 subparagraph (f)3., and is not subject to a determination
 777 pursuant to subparagraph (f)5. Notice of the proposed change
 778 shall be made to the regional planning council and the state
 779 land planning agency. Such notice shall include a description of

780 previous individual changes made to the development, including
 781 changes previously approved by the local government, and shall
 782 include appropriate amendments to the development order.

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

785 a. Changes in the name of the project, developer, owner,
 786 or monitoring official.

787 b. Changes to a setback that do not affect noise buffers,
 788 environmental protection or mitigation areas, or archaeological
 789 or historical resources.

790 c. Changes to minimum lot sizes.

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

793 e. Changes to the building design or orientation that stay
 794 approximately within the approved area designated for such
 795 building and parking lot, and which do not affect historical
 796 buildings designated as significant by the Division of
 797 Historical Resources of the Department of State.

798 f. Changes to increase the acreage in the development,
 799 provided that no development is proposed on the acreage to be
 800 added.

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

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

806 i. Any renovation or redevelopment of development within a
807 previously approved development of regional impact which does
808 not change land use or increase density or intensity of use.

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

813
814 This subsection does not require a development order amendment
815 for any change listed in sub-subparagraphs a.-j. unless such
816 issue is addressed either in the existing development order or
817 in the application for development approval, but, in the case of
818 the application, only if, and in the manner in which, the
819 application is incorporated in the development order.

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

825 4. Any submittal of a proposed change to a previously
826 approved development shall include a description of individual
827 changes previously made to the development, including changes
828 previously approved by the local government. The local
829 government shall consider the previous and current proposed
830 changes in deciding whether such changes cumulatively constitute
831 a substantial deviation requiring further development-of-
832 regional-impact review.

833 5. The following changes to an approved development of
834 regional impact shall be presumed to create a substantial
835 deviation. Such presumption may be rebutted by clear and
836 convincing evidence.

837 a. A change proposed for 15 percent or more of the acreage
838 to a land use not previously approved in the development order.
839 Changes of less than 15 percent shall be presumed not to create
840 a substantial deviation.

841 b. Except for the types of uses listed in subparagraph
842 (b)17. ~~(b)16.~~, any change which would result in the development
843 of any area which was specifically set aside in the application
844 for development approval or in the development order for
845 preservation, buffers, or special protection, including habitat
846 for plant and animal species, archaeological and historical
847 sites, dunes, and other special areas.

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

854 (i) An increase in the number of residential dwelling
855 units shall not constitute a substantial deviation and shall not
856 be subject to development-of-regional-impact review for
857 additional impacts, provided that all the residential dwelling
858 units are dedicated to affordable workforce housing and the
859 total number of new residential units does not exceed 200

860 percent of the substantial deviation threshold. The affordable
861 workforce housing shall be subject to a recorded land use
862 restriction that shall be for a period of not less than 20 years
863 and that includes resale provisions to ensure long-term
864 affordability for income-eligible homeowners and renters. For
865 purposes of this paragraph, the term "affordable workforce
866 housing" means housing that is affordable to a person who earns
867 not more than 120 percent of the area median income, or not more
868 than 140 percent of the area median income if located in a
869 county in which the median purchase price for a single-family
870 existing home exceeds the statewide median purchase price of a
871 single-family existing home. For purposes of this paragraph, the
872 term "statewide median purchase price of a single-family
873 existing home" means the statewide purchase price as determined
874 in the Florida Sales Report, Single-Family Existing Homes,
875 released each January by the Florida Association of Realtors and
876 the University of Florida Real Estate Research Center.

877 Section 15. Paragraph (k) of subsection (3) of section
878 380.0651, Florida Statutes, is redesignated as paragraph (l),
879 and a new paragraph (k) is added to that subsection to read:

880 380.0651 Statewide guidelines and standards.--

881 (3) The following statewide guidelines and standards shall
882 be applied in the manner described in s. 380.06(2) to determine
883 whether the following developments shall be required to undergo
884 development-of-regional-impact review:

885 (k) Workforce housing.--The applicable guidelines for
886 residential development and the residential component for

887 multiuse development shall be increased by 50 percent where the
888 developer demonstrates that at least 15 percent of the total
889 residential dwelling units authorized within the development of
890 regional impact will be dedicated to affordable workforce
891 housing, subject to a recorded land use restriction that shall
892 be for a period of not less than 20 years and that includes
893 resale provisions to ensure long-term affordability for income-
894 eligible homeowners and renters and provisions for the workforce
895 housing to be commenced prior to the completion of 50 percent of
896 the market rate dwelling. For purposes of this paragraph, the
897 term "affordable workforce housing" means housing that is
898 affordable to a person who earns not more than 120 percent of
899 the area median income, or not more than 140 percent of the area
900 median income if located in a county in which the median
901 purchase price for a single-family existing home exceeds the
902 statewide median purchase price of a single-family existing
903 home. For the purposes of this paragraph, the term "statewide
904 median purchase price of a single-family existing home" means
905 the statewide purchase price as determined in the Florida Sales
906 Report, Single-Family Existing Homes, released each January by
907 the Florida Association of Realtors and the University of
908 Florida Real Estate Research Center.

909 Section 16. Section 420.0004, Florida Statutes, is amended
910 to read:

911 420.0004 Definitions.--As used in this part, unless the
912 context otherwise indicates:

913 (1) "Adjusted for family size" means adjusted in a manner
914 which results in an income eligibility level which is lower for
915 households with fewer than four people, or higher for households
916 with more than four people, than the base income eligibility
917 determined as provided in subsection (8), subsection (10) ~~(9)~~,
918 subsection (11) ~~(10)~~, or subsection (15) ~~(14)~~, based upon a
919 formula as established by the United States Department of
920 Housing and Urban Development.

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

927 (3) "Affordable" means that monthly rents or monthly
928 mortgage payments including taxes, insurance, and utilities do
929 not exceed 30 percent of that amount which represents the
930 percentage of the median adjusted gross annual income for the
931 households as indicated in subsection (8), subsection (10) ~~(9)~~,
932 subsection (11) ~~(10)~~, or subsection (15) ~~(14)~~.

933 (4) "Corporation" means the Florida Housing Finance
934 Corporation.

935 (5) "Community-based organization" or "nonprofit
936 organization" means a private corporation organized under
937 chapter 617 to assist in the provision of housing and related
938 services on a not-for-profit basis and which is acceptable to

939 federal and state agencies and financial institutions as a
 940 sponsor of low-income housing.

941 (6) "Department" means the Department of Community
 942 Affairs.

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

944 (8) "Extremely-low-income persons" means one or more
 945 natural persons or a family whose total annual household income
 946 does not exceed 30 percent of the median annual adjusted gross
 947 income for households within the state. The Florida Housing
 948 Finance Corporation may adjust this amount annually by rule to
 949 provide that in lower income counties, extremely-low-income may
 950 exceed 30 percent of area median income and that in higher
 951 income counties, extremely-low-income may be less than 30
 952 percent of area median income.

953 (9)-(8) "Local public body" means any county, municipality,
 954 or other political subdivision, or any housing authority as
 955 provided by chapter 421, which is eligible to sponsor or develop
 956 housing for farmworkers and very-low-income and low-income
 957 persons within its jurisdiction.

958 (10)-(9) "Low-income persons" means one or more natural
 959 persons or a family, the total annual adjusted gross household
 960 income of which does not exceed 80 percent of the median annual
 961 adjusted gross income for households within the state, or 80
 962 percent of the median annual adjusted gross income for
 963 households within the metropolitan statistical area (MSA) or, if
 964 not within an MSA, within the county in which the person or
 965 family resides, whichever is greater.

966 (11)~~(10)~~ "Moderate-income persons" means one or more
 967 natural persons or a family, the total annual adjusted gross
 968 household income of which is less than 120 percent of the median
 969 annual adjusted gross income for households within the state, or
 970 120 percent of the median annual adjusted gross income for
 971 households within the metropolitan statistical area (MSA) or, if
 972 not within an MSA, within the county in which the person or
 973 family resides, whichever is greater.

974 (12)~~(11)~~ "Student" means any person not living with his or
 975 her parent or guardian who is eligible to be claimed by his or
 976 her parent or guardian as a dependent under the federal income
 977 tax code and who is enrolled on at least a half-time basis in a
 978 secondary school, career center, community college, college, or
 979 university.

980 (13)~~(12)~~ "Substandard" means:

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

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

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

989 (14)~~(13)~~ "Substantial rehabilitation" means repair or
 990 restoration of a dwelling unit where the value of such repair or
 991 restoration exceeds 40 percent of the value of the dwelling.

992 (15)~~(14)~~ "Very-low-income persons" means one or more
 993 natural persons or a family, not including students, the total
 994 annual adjusted gross household income of which does not exceed
 995 50 percent of the median annual adjusted gross income for
 996 households within the state, or 50 percent of the median annual
 997 adjusted gross income for households within the metropolitan
 998 statistical area (MSA) or, if not within an MSA, within the
 999 county in which the person or family resides, whichever is
 1000 greater.

1001 Section 17. Section 420.37, Florida Statutes, is amended
 1002 to read:

1003 420.37 Additional powers of the agency ~~Florida Housing~~
 1004 ~~Finance Corporation.~~--The agency ~~Florida Housing Finance~~
 1005 ~~Corporation~~ shall have all powers necessary or convenient to
 1006 carry out and effectuate the purposes of this part, including
 1007 the power to provide for the collection and payment of fees and
 1008 charges, regardless of method of payment, including, but not
 1009 limited to, reimbursement of costs of financing by the agency
 1010 ~~corporation~~, credit underwriting fees, servicing charges, and
 1011 insurance premiums determined by the agency ~~corporation~~ to be
 1012 reasonable and as approved by the agency ~~corporation~~. The fees
 1013 and charges may be paid directly by the borrower to the insurer,
 1014 lender, or servicing agent or may be deducted from the payments
 1015 collected by such insurer, lender, or servicing agent.

1016 Section 18. Subsection (18) of section 420.503, Florida
 1017 Statutes, is amended to read:

1018 420.503 Definitions.--As used in this part, the term:

1019 (18) (a) "Farmworker" means a laborer who is employed on a
 1020 seasonal, temporary, or permanent basis in the planting,
 1021 cultivating, harvesting, or processing of agricultural or
 1022 aquacultural products and who derived at least 50 percent of her
 1023 or his income in the immediately preceding 12 months from such
 1024 employment.

1025 (b) "Farmworker" ~~also~~ includes a person who has retired as
 1026 a laborer due to age, disability, or illness. In order to be
 1027 considered retired as a farmworker due to age under this part, a
 1028 person must be 50 years of age or older and must have been
 1029 employed for a minimum of 5 years as a farmworker before
 1030 retirement. In order to be considered retired as a farmworker
 1031 due to disability or illness, a person must:

1032 1.~~(a)~~ Establish medically that she or he is unable to be
 1033 employed as a farmworker due to that disability or illness.

1034 2.~~(b)~~ Establish that she or he was previously employed as
 1035 a farmworker.

1036 (c) Notwithstanding paragraphs (a) and (b), when
 1037 corporation-administered funds are used in conjunction with
 1038 United States Department of Agriculture Rural Development funds,
 1039 the term "farmworker" may mean a laborer who meets, at a
 1040 minimum, the definition of "domestic farm laborer" as found in 7
 1041 C.F.R. s. 3560.11, as amended. The corporation may establish
 1042 additional criteria by rule.

1043 Section 19. Section 420.5061, Florida Statutes, is amended
 1044 to read:

1045 420.5061 Transfer of agency assets and
1046 liabilities.--Effective January 1, 1998, all assets and
1047 liabilities and rights and obligations, including any
1048 outstanding contractual obligations, of the agency shall be
1049 transferred to the corporation as legal successor in all
1050 respects to the agency. The corporation shall thereupon become
1051 obligated to the same extent as the agency under any existing
1052 agreements and be entitled to any rights and remedies previously
1053 afforded the agency by law or contract, including specifically
1054 the rights of the agency under chapter 201 and part VI of
1055 chapter 159. The corporation is a state agency for purposes of
1056 s. 159.807(4) (a). Effective January 1, 1998, all references
1057 under Florida law to the agency are deemed to mean the
1058 corporation. The corporation shall transfer to the General
1059 Revenue Fund an amount which otherwise would have been deducted
1060 as a service charge pursuant to s. 215.20(1) if the Florida
1061 Housing Finance Corporation Fund established by s. 420.508(5),
1062 the State Apartment Incentive Loan Fund established by s.
1063 420.5087(7), the Florida Homeownership Assistance Fund
1064 established by s. 420.5088(4)-~~(5)~~, the HOME Investment
1065 Partnership Fund established by s. 420.5089(1), and the Housing
1066 Predevelopment Loan Fund established by s. 420.525(1) were each
1067 trust funds. For purposes of s. 112.313, the corporation is
1068 deemed to be a continuation of the agency, and the provisions
1069 thereof are deemed to apply as if the same entity remained in
1070 place. Any employees of the agency and agency board members
1071 covered by s. 112.313(9) (a)6. shall continue to be entitled to

1072 the exemption in that subparagraph, notwithstanding being hired
 1073 by the corporation or appointed as board members of the
 1074 corporation. Effective January 1, 1998, all state property in
 1075 use by the agency shall be transferred to and become the
 1076 property of the corporation.

1077 Section 20. Subsections (22), (23), and (40) of section
 1078 420.507, Florida Statutes, are amended, and subsections (44) and
 1079 (45) are added to that section, to read:

1080 420.507 Powers of the corporation.--The corporation shall
 1081 have all the powers necessary or convenient to carry out and
 1082 effectuate the purposes and provisions of this part, including
 1083 the following powers which are in addition to all other powers
 1084 granted by other provisions of this part:

1085 (22) To develop and administer the State Apartment
 1086 Incentive Loan Program. In developing and administering that
 1087 program, the corporation may:

1088 (a) Make first, second, and other subordinated mortgage
 1089 loans including variable or fixed rate loans subject to
 1090 contingent interest for all State Apartment Incentive Loans
 1091 provided for in this chapter based upon available cash flow of
 1092 the projects. The corporation shall make loans exceeding 25
 1093 percent of project cost available only to nonprofit
 1094 organizations and public bodies which are able to secure grants,
 1095 donations of land, or contributions from other sources and to
 1096 projects meeting the criteria of subparagraph 1. Mortgage loans
 1097 shall be made available at the following rates of interest:

1098 1. Zero to 3 percent interest for sponsors of projects
 1099 that set aside at least ~~maintain an~~ 80 percent ~~occupancy~~ of
 1100 their total units for residents qualifying as farmworkers as
 1101 defined in this part ~~s. 420.503(18)~~, or commercial fishing
 1102 workers as defined in this part ~~s. 420.503(5)~~, or the homeless
 1103 as defined in s. 420.621(4) over the life of the loan.

1104 2. Zero to 3 percent interest based on the pro rata share
 1105 of units set aside for homeless residents if the total of such
 1106 units is less than 80 percent of the units in the borrower's
 1107 project.

1108 3. One ~~Three~~ to 9 percent interest for sponsors of
 1109 projects targeted at populations other than farmworkers,
 1110 commercial fishing workers, and the homeless.

1111 (b) Make loans exceeding 25 percent of project cost when
 1112 the project serves extremely-low-income persons.

1113 (c) Forgive indebtedness for a share of the loan
 1114 attributable to the units in a project reserved for extremely-
 1115 low-income persons.

1116 (d) ~~(b)~~ Geographically and demographically target the
 1117 utilization of loans.

1118 (e) ~~(e)~~ Underwrite credit, and reject projects which do not
 1119 meet the established standards of the corporation.

1120 (f) ~~(d)~~ Negotiate with governing bodies within the state
 1121 after a loan has been awarded to obtain local government
 1122 contributions.

1123 (g)~~(e)~~ Inspect any records of a sponsor at any time during
 1124 the life of the loan or the agreed period for maintaining the
 1125 provisions of s. 420.5087.

1126 (h)~~(f)~~ Establish, by rule, the procedure for evaluating,
 1127 scoring, and competitively ranking all applications based on the
 1128 criteria set forth in s. 420.5087(6)(c); determining actual loan
 1129 amounts; making and servicing loans; and exercising the powers
 1130 authorized in this subsection.

1131 (i)~~(g)~~ Establish a loan loss insurance reserve to be used
 1132 to protect the outstanding program investment in case of a
 1133 default, deed in lieu of foreclosure, or foreclosure of a
 1134 program loan.

1135 (23) To develop and administer the Florida Homeownership
 1136 Assistance Program. In developing and administering the program,
 1137 the corporation may:

1138 (a)1. Make subordinated loans to eligible borrowers for
 1139 down payments or closing costs related to the purchase of the
 1140 borrower's primary residence.

1141 2. Make permanent loans to eligible borrowers related to
 1142 the purchase of the borrower's primary residence.

1143 3. Make subordinated loans to nonprofit sponsors or
 1144 developers of housing for purchase of property, for
 1145 construction, or for financing of housing to be offered for sale
 1146 to eligible borrowers as a primary residence at an affordable
 1147 price.

1148 (b) Establish a loan loss insurance reserve to supplement
 1149 existing sources of mortgage insurance with appropriated funds.

1150 (c) Geographically and demographically target the
 1151 utilization of loans.

1152 (d) Defer repayment of loans for the term of the first
 1153 mortgage.

1154 (e) Establish flexible terms for loans with an interest
 1155 rate not to exceed 3 percent per annum and which are
 1156 nonamortizing for the term of the first mortgage.

1157 (f) Require repayment of loans upon sale, transfer,
 1158 refinancing, or rental of secured property, unless otherwise
 1159 approved by the corporation.

1160 (g) Accelerate a loan for monetary default, for failure to
 1161 provide the benefits of the loans to eligible borrowers, or for
 1162 violation of any other restriction placed upon the loan.

1163 (h) Adopt rules for the program and exercise the powers
 1164 authorized in this subsection.

1165 (40) To establish subsidiary business entities
 1166 ~~corporations~~ for the purpose of taking title to and managing and
 1167 disposing of property acquired by the corporation. Such
 1168 subsidiary business entities ~~corporations~~ shall be public
 1169 business entities ~~corporations~~ wholly owned by the corporation;
 1170 shall be entitled to own, mortgage, and sell property on the
 1171 same basis as the corporation; and shall be deemed business
 1172 entities ~~corporations~~ primarily acting as an agent ~~agents~~ of the
 1173 state, within the meaning of s. 768.28, on the same basis as the
 1174 corporation. Any subsidiary business entity created by the
 1175 corporation shall be subject to chapters 119, 120, and 286 to
 1176 the same extent as the corporation. The subsidiary business

1177 entities shall have authority to make rules necessary to conduct
 1178 business and to carry out the purposes of this subsection.

1179 (44) To adopt rules for the intervention and negotiation
 1180 of terms or other actions necessary to further program goals or
 1181 avoid default of a program loan. Such rules must consider fiscal
 1182 program goals and the preservation or advancement of affordable
 1183 housing for the state.

1184 (45) To establish by rule requirements for periodic
 1185 reporting of data, including, but not limited to, financial
 1186 data, housing market data, detailed economic and physical
 1187 occupancy on multifamily projects, and demographic data on all
 1188 housing financed through corporation programs and for
 1189 participation in a housing locator system.

1190 Section 21. Subsections (1), (3), (5), and (6) of section
 1191 420.5087, Florida Statutes, are amended to read:

1192 420.5087 State Apartment Incentive Loan Program.--There is
 1193 hereby created the State Apartment Incentive Loan Program for
 1194 the purpose of providing first, second, or other subordinated
 1195 mortgage loans or loan guarantees to sponsors, including for-
 1196 profit, nonprofit, and public entities, to provide housing
 1197 affordable to very-low-income persons.

1198 (1) Program funds shall be distributed over successive 3-
 1199 year periods in a manner that meets the need and demand for
 1200 very-low-income housing throughout the state. That need and
 1201 demand must be determined by using the most recent statewide
 1202 low-income rental housing market studies available at the
 1203 beginning of each 3-year period. However, at least 10 percent of

1204 the program funds distributed during a 3-year period must be
 1205 allocated to each of the following categories of counties, as
 1206 determined by using the population statistics published in the
 1207 most recent edition of the Florida Statistical Abstract:

1208 (a) Counties that have a population of 825,000 or more.

1209 ~~more than 500,000 people;~~

1210 (b) Counties that have a population of more than ~~between~~
 1211 100,000 but less than 825,000. ~~and 500,000 people; and~~

1212 (c) Counties that have a population of 100,000 or less.

1213
 1214 Any increase in funding required to reach the 10-percent minimum
 1215 shall be taken from the county category that has the largest
 1216 allocation. The corporation shall adopt rules which establish an
 1217 equitable process for distributing any portion of the 10 percent
 1218 of program funds allocated to the county categories specified in
 1219 this subsection which remains unallocated at the end of a 3-year
 1220 period. Counties that have a population of 100,000 or less shall
 1221 be given preference under these rules.

1222 (3) During the first 6 months of loan or loan guarantee
 1223 availability, program funds shall be reserved for use by
 1224 sponsors who provide the housing set-aside required in
 1225 subsection (2) for the tenant groups designated in this
 1226 subsection. The reservation of funds to each of these groups
 1227 shall be determined using the most recent statewide very-low-
 1228 income rental housing market study available at the time of
 1229 publication of each notice of fund availability required by
 1230 paragraph (6) (b). The reservation of funds within each notice of

1231 fund availability to the tenant groups in paragraphs (a), (b),
 1232 and (d) may not be less than 10 percent of the funds available
 1233 at that time. Any increase in funding required to reach the 10-
 1234 percent minimum shall be taken from the tenant group that has
 1235 the largest reservation. The reservation of funds within each
 1236 notice of fund availability to the tenant group in paragraph (c)
 1237 may not be less than 5 percent of the funds available at that
 1238 time. The tenant groups are:

- 1239 (a) Commercial fishing workers and farmworkers;
- 1240 (b) Families;
- 1241 (c) Persons who are homeless; and
- 1242 (d) Elderly persons. Ten percent of the amount reserved
 1243 for the elderly shall be reserved to provide loans to sponsors
 1244 of housing for the elderly for the purpose of making building
 1245 preservation, health, or sanitation repairs or improvements
 1246 which are required by federal, state, or local regulation or
 1247 code, or lifesafety or security-related repairs or improvements
 1248 to such housing. Such a loan may not exceed \$750,000 per housing
 1249 community for the elderly. In order to receive the loan, the
 1250 sponsor of the housing community must make a commitment to match
 1251 at least 5 ~~15~~ percent of the loan amount to pay the cost of such
 1252 repair or improvement. The corporation shall establish the rate
 1253 of interest on the loan, which may not exceed 3 percent, and the
 1254 term of the loan, which may not exceed 15 years; however, if the
 1255 lien of the corporation's encumbrance is subordinate to the lien
 1256 of another mortgagee, then the term may be made coterminous with
 1257 the longest term of the superior lien. The term of the loan

1258 | shall be established on the basis of a credit analysis of the
1259 | applicant. The corporation shall establish, by rule, the
1260 | procedure and criteria for receiving, evaluating, and
1261 | competitively ranking all applications for loans under this
1262 | paragraph. A loan application must include evidence of the first
1263 | mortgagee's having reviewed and approved the sponsor's intent to
1264 | apply for a loan. A nonprofit organization or sponsor may not
1265 | use the proceeds of the loan to pay for administrative costs,
1266 | routine maintenance, or new construction.

1267 | (5) The amount of the mortgage provided under this program
1268 | combined with any other mortgage in a superior position shall be
1269 | less than the value of the project without the housing set-aside
1270 | required by subsection (2). However, the corporation may waive
1271 | this requirement for projects in rural areas or urban infill
1272 | areas which have market rate rents that are less than the
1273 | allowable rents pursuant to applicable state and federal
1274 | guidelines, and for projects which reserve units for extremely-
1275 | low-income persons. In no event shall the mortgage provided
1276 | under this program combined with any other mortgage in a
1277 | superior position exceed total project cost.

1278 | (6) On all state apartment incentive loans, except loans
1279 | made to housing communities for the elderly to provide for
1280 | lifesafety, building preservation, health, sanitation, or
1281 | security-related repairs or improvements, the following
1282 | provisions shall apply:

1283 | (a) The corporation shall establish two interest rates in
1284 | accordance with s. 420.507(22)(a)1. and 3. ~~2.~~

1285 (b) The corporation shall publish a notice of fund
 1286 availability in a publication of general circulation throughout
 1287 the state. Such notice shall be published at least 60 days prior
 1288 to the application deadline and shall provide notice of the
 1289 temporary reservations of funds established in subsection (3).

1290 (c) The corporation shall provide by rule for the
 1291 establishment of a review committee composed of the department
 1292 and corporation staff and shall establish by rule a scoring
 1293 system for evaluation and competitive ranking of applications
 1294 submitted in this program, including, but not limited to, the
 1295 following criteria:

1296 1. Tenant income and demographic targeting objectives of
 1297 the corporation.

1298 2. Targeting objectives of the corporation which will
 1299 ensure an equitable distribution of loans between rural and
 1300 urban areas.

1301 3. Sponsor's agreement to reserve the units for persons or
 1302 families who have incomes below 50 percent of the state or local
 1303 median income, whichever is higher, for a time period to exceed
 1304 the minimum required by federal law or the provisions of this
 1305 part.

1306 4. Sponsor's agreement to reserve more than:

1307 a. Twenty percent of the units in the project for persons
 1308 or families who have incomes that do not exceed 50 percent of
 1309 the state or local median income, whichever is higher; or

1310 b. Forty percent of the units in the project for persons
 1311 or families who have incomes that do not exceed 60 percent of

1312 the state or local median income, whichever is higher, without
 1313 requiring a greater amount of the loans as provided in this
 1314 section.

1315 5. Provision for tenant counseling.

1316 6. Sponsor's agreement to accept rental assistance
 1317 certificates or vouchers as payment for rent; ~~however, when~~
 1318 ~~certificates or vouchers are accepted as payment for rent on~~
 1319 ~~units set aside pursuant to subsection (2), the benefit must be~~
 1320 ~~divided between the corporation and the sponsor, as provided by~~
 1321 ~~corporation rule.~~

1322 7. Projects requiring the least amount of a state
 1323 apartment incentive loan compared to overall project cost except
 1324 that the share of the loan attributable to units serving
 1325 extremely-low-income persons shall be excluded from this
 1326 requirement.

1327 8. Local government contributions and local government
 1328 comprehensive planning and activities that promote affordable
 1329 housing.

1330 9. Project feasibility.

1331 10. Economic viability of the project.

1332 11. Commitment of first mortgage financing.

1333 12. Sponsor's prior experience.

1334 13. Sponsor's ability to proceed with construction.

1335 14. Projects that directly implement or assist welfare-to-
 1336 work transitioning.

1337 15. Projects that reserve units for extremely-low-income
 1338 persons.

1339 (d) The corporation may reject any and all applications.

1340 (e) The corporation may approve and reject applications
 1341 for the purpose of achieving geographic targeting.

1342 (f) The review committee established by corporation rule
 1343 pursuant to this subsection shall make recommendations to the
 1344 board of directors of the corporation regarding program
 1345 participation under the State Apartment Incentive Loan Program.
 1346 The corporation board shall make the final ranking and the
 1347 decisions regarding which applicants shall become program
 1348 participants based on the scores received in the competitive
 1349 ranking, further review of applications, and the recommendations
 1350 of the review committee. The corporation board shall approve or
 1351 reject applications for loans and shall determine the tentative
 1352 loan amount available to each applicant selected for
 1353 participation in the program. The actual loan amount shall be
 1354 determined pursuant to rule adopted pursuant to s.
 1355 420.507(22) (h) ~~(f)~~.

1356 (g) The loan term shall be for a period of not more than
 1357 15 years; however, if both a program loan and federal low-income
 1358 housing tax credits are to be used to assist a project, the
 1359 corporation may set the loan term for a period commensurate with
 1360 the investment requirements associated with the tax credit
 1361 syndication. The term of the loan may also exceed 15 years;
 1362 however, if the lien of the corporation's encumbrance is
 1363 subordinate to the lien of another mortgagee, then the term may
 1364 be made coterminous with the longest term of the superior lien
 1365 ~~necessary to conform to requirements of the Federal National~~

1366 ~~Mortgage Association~~. The corporation may renegotiate and extend
1367 the loan in order to extend the availability of housing for the
1368 targeted population. The term of a loan may not extend beyond
1369 the period for which the sponsor agrees to provide the housing
1370 set-aside required by subsection (2).

1371 (h) The loan shall be subject to sale, transfer, or
1372 refinancing. The sale, transfer, or refinancing of the loan
1373 shall be consistent with fiscal program goals and the
1374 preservation or advancement of affordable housing for the state.
1375 ~~However, all requirements and conditions of the loan shall~~
1376 ~~remain following sale, transfer, or refinancing.~~

1377 (i) The discrimination provisions of s. 420.516 shall
1378 apply to all loans.

1379 (j) The corporation may require units dedicated for the
1380 elderly.

1381 (k) Rent controls shall not be allowed on any project
1382 except as required in conjunction with the issuance of tax-
1383 exempt bonds or federal low-income housing tax credits and
1384 except when the sponsor has committed to set aside units for
1385 extremely-low-income persons, in which case rents shall be
1386 restricted at the level applicable for federal low-income tax
1387 credits.

1388 (l) The proceeds of all loans shall be used for new
1389 construction or substantial rehabilitation which creates
1390 affordable, safe, and sanitary housing units.

1391 (m) Sponsors shall annually certify the adjusted gross
1392 income of all persons or families qualified under subsection (2)

1393 at the time of initial occupancy, who are residing in a project
1394 funded by this program. All persons or families qualified under
1395 subsection (2) may continue to qualify under subsection (2) in a
1396 project funded by this program if the adjusted gross income of
1397 those persons or families at the time of annual recertification
1398 meets the requirements established in s. 142(d)(3)(B) of the
1399 Internal Revenue Code of 1986, as amended. If the annual
1400 recertification of persons or families qualifying under
1401 subsection (2) results in noncompliance with income occupancy
1402 requirements, the next available unit must be rented to a person
1403 or family qualifying under subsection (2) in order to ensure
1404 continuing compliance of the project. The corporation may waive
1405 the annual recertification if 100 percent of the units are set
1406 aside as affordable.

1407 (n) Upon submission and approval of a marketing plan which
1408 demonstrates a good faith effort of a sponsor to rent a unit or
1409 units to persons or families reserved under subsection (3) and
1410 qualified under subsection (2), the sponsor may rent such unit
1411 or units to any person or family qualified under subsection (2)
1412 notwithstanding the reservation.

1413 (o) Sponsors may participate in federal mortgage insurance
1414 programs and must abide by the requirements of those programs.
1415 If a conflict occurs between the requirements of federal
1416 mortgage insurance programs and the requirements of this
1417 section, the requirements of federal mortgage insurance programs
1418 shall take precedence.

1419 Section 22. Section 420.5088, Florida Statutes, is amended
 1420 to read:

1421 420.5088 Florida Homeownership Assistance Program.--There
 1422 is created the Florida Homeownership Assistance Program for the
 1423 purpose of assisting low-income and moderate-income persons in
 1424 purchasing a home as their primary residence by reducing the
 1425 cost of the home with below-market construction financing, by
 1426 reducing the amount of down payment and closing costs paid by
 1427 the borrower to a maximum of 5 percent of the purchase price, or
 1428 by reducing the monthly payment to an affordable amount for the
 1429 purchaser. Loans shall be made available at an interest rate
 1430 that does not exceed 3 percent. The balance of any loan is due
 1431 at closing if the property is sold, refinanced, rented, or
 1432 transferred, unless otherwise approved by the corporation.

1433 (1) For loans made available pursuant to s.
 1434 420.507(23)(a)1. or 2.:

1435 (a) The corporation may underwrite and make those mortgage
 1436 loans through the program to persons or families who have
 1437 incomes that do not exceed 120 ~~80~~ percent of the state or local
 1438 median income, whichever is greater, adjusted for family size.

1439 (b) Loans shall be made available for the term of the
 1440 first mortgage.

1441 (c) Loans may not exceed ~~are limited to~~ the lesser of 35
 1442 ~~25~~ percent of the purchase price of the home or the amount
 1443 necessary to enable the purchaser to meet credit underwriting
 1444 criteria.

1445 (2) For loans made pursuant to s. 420.507(23)(a)3.:

1446 (a) Availability is limited to nonprofit sponsors or
 1447 developers who are selected for program participation pursuant
 1448 to this subsection.

1449 (b) Preference must be given to ~~community development~~
 1450 ~~corporations as defined in s. 290.033~~ and to community-based
 1451 organizations as defined in s. 420.503.

1452 (c) Priority must be given to projects that have received
 1453 state assistance in funding project predevelopment costs.

1454 (d) The benefits of making such loans shall be
 1455 contractually provided to the persons or families purchasing
 1456 homes financed under this subsection.

1457 (e) At least 30 percent of the units in a project financed
 1458 pursuant to this subsection must be sold to persons or families
 1459 who have incomes that do not exceed 80 percent of the state or
 1460 local median income, whichever amount is greater, adjusted for
 1461 family size; and at least another 30 percent of the units in a
 1462 project financed pursuant to this subsection must be sold to
 1463 persons or families who have incomes that do not exceed 65 ~~50~~
 1464 percent of the state or local median income, whichever amount is
 1465 greater, adjusted for family size.

1466 (f) The maximum loan amount may not exceed 33 percent of
 1467 the total project cost.

1468 (g) A person who purchases a home in a project financed
 1469 under this subsection is eligible for a loan authorized by s.
 1470 420.507(23)(a)1. or 2. in an aggregate amount not exceeding the
 1471 construction loan made pursuant to this subsection. The home

1472 purchaser must meet all the requirements for loan recipients
 1473 established pursuant to the applicable loan program.

1474 (h) The corporation shall provide, by rule, for the
 1475 establishment of a review committee composed of corporation
 1476 staff and shall establish, by rule, a scoring system for
 1477 evaluating and ranking applications submitted for construction
 1478 loans under this subsection, including, but not limited to, the
 1479 following criteria:

1480 1. The affordability of the housing proposed to be built.

1481 2. The direct benefits of the assistance to the persons
 1482 who will reside in the proposed housing.

1483 3. The demonstrated capacity of the applicant to carry out
 1484 the proposal, including the experience of the development team.

1485 4. The economic feasibility of the proposal.

1486 5. The extent to which the applicant demonstrates
 1487 potential cost savings by combining the benefits of different
 1488 governmental programs and private initiatives, including the
 1489 local government contributions and local government
 1490 comprehensive planning and activities that promote affordable
 1491 housing.

1492 6. The use of the least amount of program loan funds
 1493 compared to overall project cost.

1494 7. The provision of homeownership counseling.

1495 8. The applicant's agreement to exceed the requirements of
 1496 paragraph (e).

1497 9. The commitment of first mortgage financing for the
 1498 balance of the construction loan and for the permanent loans to
 1499 the purchasers of the housing.

1500 10. The applicant's ability to proceed with construction.

1501 11. The targeting objectives of the corporation which will
 1502 ensure an equitable distribution of loans between rural and
 1503 urban areas.

1504 12. The extent to which the proposal will further the
 1505 purposes of this program.

1506 (i) The corporation may reject any and all applications.

1507 (j) The review committee established by corporation rule
 1508 pursuant to this subsection shall make recommendations to the
 1509 corporation board regarding program participation under this
 1510 subsection. The corporation board shall make the final ranking
 1511 for participation based on the scores received in the ranking,
 1512 further review of the applications, and the recommendations of
 1513 the review committee. The corporation board shall approve or
 1514 reject applicants for loans and shall determine the tentative
 1515 loan amount available to each program participant. The final
 1516 loan amount shall be determined pursuant to rule adopted under
 1517 s. 420.507(23) (h) .

1518 (3) The corporation shall publish a notice of fund
 1519 availability in a publication of general circulation throughout
 1520 the state at least 60 days prior to the anticipated availability
 1521 of funds.

1522 ~~(4) During the first 9 months of fund availability:~~

1523 ~~(a) Sixty percent of the program funds shall be reserved~~
 1524 ~~for use by borrowers pursuant to s. 420.507(23)(a)1.;~~

1525 ~~(b) Twenty percent of the program funds shall be reserved~~
 1526 ~~for use by borrowers pursuant to s. 420.507(23)(a)2.; and~~

1527 ~~(c) Twenty percent of the program funds shall be reserved~~
 1528 ~~for use by borrowers pursuant to s. 420.507(23)(a)3.~~

1529
 1530 ~~If the application of these percentages would cause the~~
 1531 ~~reservation of program funds under paragraph (a) to be less than~~
 1532 ~~\$1 million, the reservation for paragraph (a) shall be increased~~
 1533 ~~to \$1 million or all available funds, whichever amount is less,~~
 1534 ~~with the increase to be accomplished by reducing the reservation~~
 1535 ~~for paragraph (b) and, if necessary, paragraph (c).~~

1536 (4)~~(5)~~ There is authorized to be established by the
 1537 corporation with a qualified public depository meeting the
 1538 requirements of chapter 280 the Florida Homeownership Assistance
 1539 Fund to be administered by the corporation according to the
 1540 provisions of this program. Any amounts held in the Florida
 1541 Homeownership Assistance Trust Fund for such purposes as of
 1542 January 1, 1998, must be transferred to the corporation for
 1543 deposit in the Florida Homeownership Assistance Fund, whereupon
 1544 the Florida Homeownership Assistance Trust Fund must be closed.
 1545 There shall be deposited in the fund moneys from the State
 1546 Housing Trust Fund created by s. 420.0005, or moneys received
 1547 from any other source, for the purpose of this program and all
 1548 proceeds derived from the use of such moneys. In addition, all
 1549 unencumbered funds, loan repayments, proceeds from the sale of

1550 any property, and any other proceeds that would otherwise accrue
1551 pursuant to the activities of the programs described in this
1552 section shall be transferred to this fund. In addition, all loan
1553 repayments, proceeds from the sale of any property, and any
1554 other proceeds that would otherwise accrue pursuant to the
1555 activities conducted under the provisions of the Florida
1556 Homeownership Assistance Program shall be deposited in the fund
1557 and shall not revert to the General Revenue Fund. Expenditures
1558 from the Florida Homeownership Assistance Fund shall not be
1559 required to be included in the corporation's budget request or
1560 be subject to appropriation by the Legislature.

1561 (5)~~(6)~~ No more than one-fifth of the funds available in
1562 the Florida Homeownership Assistance Fund may be made available
1563 to provide loan loss insurance reserve funds to facilitate
1564 homeownership for eligible persons.

1565 Section 23. Section 420.530, Florida Statutes, is
1566 repealed.

1567 Section 24. Subsection (25) of section 420.9071, Florida
1568 Statutes, is amended to read:

1569 420.9071 Definitions.--As used in ss. 420.907-420.9079,
1570 the term:

1571 (25) "Recaptured funds" means funds that are recouped by a
1572 county or eligible municipality in accordance with the recapture
1573 provisions of its local housing assistance plan pursuant to s.
1574 420.9075(5)~~(4)~~(g) from eligible persons or eligible sponsors who
1575 default on the terms of a grant award or loan award.

1576 Section 25. Subsection (2) of section 420.9072, Florida
 1577 Statutes, is amended to read:

1578 420.9072 State Housing Initiatives Partnership
 1579 Program.--The State Housing Initiatives Partnership Program is
 1580 created for the purpose of providing funds to counties and
 1581 eligible municipalities as an incentive for the creation of
 1582 local housing partnerships, to expand production of and preserve
 1583 affordable housing, to further the housing element of the local
 1584 government comprehensive plan specific to affordable housing,
 1585 and to increase housing-related employment.

1586 (2) (a) To be eligible to receive funds under the program,
 1587 a county or eligible municipality must:

1588 1. Submit to the corporation its local housing assistance
 1589 plan describing the local housing assistance strategies
 1590 established pursuant to s. 420.9075;

1591 2. Within 12 months after adopting the local housing
 1592 assistance plan, amend the plan to incorporate the local housing
 1593 incentive strategies defined in s. 420.9071(16) and described in
 1594 s. 420.9076; and

1595 3. Within 24 months after adopting the amended local
 1596 housing assistance plan to incorporate the local housing
 1597 incentive strategies, amend its land development regulations or
 1598 establish local policies and procedures, as necessary, to
 1599 implement the local housing incentive strategies adopted by the
 1600 local governing body. A county or an eligible municipality that
 1601 has adopted a housing incentive strategy pursuant to s. 420.9076
 1602 before the effective date of this act shall review the status of

1603 implementation of the plan according to its adopted schedule for
 1604 implementation and report its findings in the annual report
 1605 required by s. 420.9075 (10) ~~(9)~~. If as a result of the review, a
 1606 county or an eligible municipality determines that the
 1607 implementation is complete and in accordance with its schedule,
 1608 no further action is necessary. If a county or an eligible
 1609 municipality determines that implementation according to its
 1610 schedule is not complete, it must amend its land development
 1611 regulations or establish local policies and procedures, as
 1612 necessary, to implement the housing incentive plan within 12
 1613 months after the effective date of this act, or if extenuating
 1614 circumstances prevent implementation within 12 months, pursuant
 1615 to s. 420.9075 (13) ~~(12)~~, enter into an extension agreement with
 1616 the corporation.

1617 (b) A county or an eligible municipality seeking approval
 1618 to receive its share of the local housing distribution must
 1619 adopt an ordinance containing the following provisions:

1620 1. Creation of a local housing assistance trust fund as
 1621 described in s. 420.9075 (6) ~~(5)~~.

1622 2. Adoption by resolution of a local housing assistance
 1623 plan as defined in s. 420.9071(14) to be implemented through a
 1624 local housing partnership as defined in s. 420.9071(18).

1625 3. Designation of the responsibility for the
 1626 administration of the local housing assistance plan. Such
 1627 ordinance may also provide for the contracting of all or part of
 1628 the administrative or other functions of the program to a third
 1629 person or entity.

1630 4. Creation of the affordable housing advisory committee
1631 as provided in s. 420.9076.

1632
1633 The ordinance must not take effect until at least 30 days after
1634 the date of formal adoption. Ordinances in effect prior to the
1635 effective date of amendments to this section shall be amended as
1636 needed to conform to new provisions.

1637 Section 26. Paragraph (c) of present subsection (4) of
1638 section 420.9075, Florida Statutes, is amended, subsections (3)
1639 through (12) are renumbered as subsections (4) through (13),
1640 respectively, and a new subsection (3) is added to that section,
1641 to read:

1642 420.9075 Local housing assistance plans; partnerships.--

1643 (3) (a) Each local housing assistance plan shall include a
1644 definition of essential service personnel for the county or
1645 eligible municipality, including, but not limited to, teachers
1646 and educators, other school district, community college, and
1647 university employees, police and fire personnel, health care
1648 personnel, skilled building trades personnel, and other job
1649 categories.

1650 (b) Each county and each eligible municipality is
1651 encouraged to develop a strategy within its local housing
1652 assistance plan that emphasizes the recruitment and retention of
1653 essential service personnel. The local government is encouraged
1654 to involve public and private sector employers. Compliance with
1655 the eligibility criteria established under this strategy shall
1656 be verified by the county or eligible municipality.

1657 (c) Each county and each eligible municipality is
 1658 encouraged to develop a strategy within its local housing
 1659 assistance plan that addresses the needs of persons who are
 1660 deprived of affordable housing due to the closure of a mobile
 1661 home park or the conversion of affordable rental units to
 1662 condominiums.

1663 ~~(5)(4)~~ The following criteria apply to awards made to
 1664 eligible sponsors or eligible persons for the purpose of
 1665 providing eligible housing:

1666 (c) The sales price or value of new or existing eligible
 1667 housing may not exceed 90 percent of the average area purchase
 1668 price in the statistical area in which the eligible housing is
 1669 located. Such average area purchase price may be that calculated
 1670 for any 12-month period beginning not earlier than the fourth
 1671 calendar year prior to the year in which the award occurs or as
 1672 otherwise established by the United States Department of the
 1673 Treasury.

1674
 1675 If both an award under the local housing assistance plan and
 1676 federal low-income housing tax credits are used to assist a
 1677 project and there is a conflict between the criteria prescribed
 1678 in this subsection and the requirements of s. 42 of the Internal
 1679 Revenue Code of 1986, as amended, the county or eligible
 1680 municipality may resolve the conflict by giving precedence to
 1681 the requirements of s. 42 of the Internal Revenue Code of 1986,
 1682 as amended, in lieu of following the criteria prescribed in this

1683 subsection with the exception of paragraphs (a) and (d) of this
 1684 subsection.

1685 Section 27. Subsection (6) of section 420.9076, Florida
 1686 Statutes, is amended to read:

1687 420.9076 Adoption of affordable housing incentive
 1688 strategies; committees.--

1689 (6) Within 90 days after the date of receipt of the local
 1690 housing incentive strategies recommendations from the advisory
 1691 committee, the governing body of the appointing local government
 1692 shall adopt an amendment to its local housing assistance plan to
 1693 incorporate the local housing incentive strategies it will
 1694 implement within its jurisdiction. The amendment must include,
 1695 at a minimum, the local housing incentive strategies specified
 1696 ~~as defined in paragraphs (4) (a) - (j) s. 420.9071(16).~~

1697 Section 28. Subsection (2) of section 420.9079, Florida
 1698 Statutes, is amended to read:

1699 420.9079 Local Government Housing Trust Fund.--

1700 (2) The corporation shall administer the fund exclusively
 1701 for the purpose of implementing the programs described in ss.
 1702 420.907-420.9078 and this section. With the exception of
 1703 monitoring the activities of counties and eligible
 1704 municipalities to determine local compliance with program
 1705 requirements, the corporation shall not receive appropriations
 1706 from the fund for administrative or personnel costs. For the
 1707 purpose of implementing the compliance monitoring provisions of
 1708 s. 420.9075 (9) ~~(8)~~, the corporation may request a maximum of one-
 1709 quarter of 1 percent of the annual appropriation ~~\$200,000~~ per

1710 state fiscal year. When such funding is appropriated, the
 1711 corporation shall deduct the amount appropriated prior to
 1712 calculating the local housing distribution pursuant to ss.
 1713 420.9072 and 420.9073.

1714 Section 29. Subsection (12) is added to section 723.0612,
 1715 Florida Statutes, to read:

1716 723.0612 Change in use; relocation expenses; payments by
 1717 park owner.--

1718 (12) If the owner of a mobile home or a recreational
 1719 vehicle park applies to a local government to change the use of
 1720 the land to a single-family residential or multi-family land use
 1721 and the existing park has a density of 10 mobile homes or
 1722 recreational vehicles or more per acre, the local government
 1723 must allow at least 10 residential units per acre if:

1724 (a) The proposed change in the use of the land is
 1725 otherwise consistent with the local comprehensive plan; and

1726 (b) The initial sales price of all residential units in
 1727 the proposed project is less than 80 percent of the county
 1728 median sales price for a single-family home.

1729 Section 30. Subsection (12) of section 1001.43, Florida
 1730 Statutes, is renumbered as subsection (13), and a new subsection
 1731 (12) is added to that section to read:

1732 1001.43 Supplemental powers and duties of district school
 1733 board.--The district school board may exercise the following
 1734 supplemental powers and duties as authorized by this code or
 1735 State Board of Education rule.

1736 (12) AFFORDABLE HOUSING.-- A district school board that
1737 certifies to the commissioner that all of the district's
1738 instructional space needs for the next 5 years can be met from
1739 capital outlay sources that the district reasonably expects to
1740 receive during the next 5 years may provide affordable housing
1741 for teachers and other district personnel independently or in
1742 conjunction with other agencies as described in subsection (5).
1743 State funds and funds received pursuant to ss. 1011.62 and
1744 1011.71 shall not be used to provide affordable housing for
1745 teachers or other district personnel.

1746 Section 31. Community Workforce Housing Innovation Pilot
1747 Program.--

1748 (1) The Legislature finds and declares that recent rapid
1749 increases in the median purchase price of a home and the cost of
1750 rental housing have far outstripped the increases in median
1751 income in the state, preventing essential services personnel
1752 from living in the communities where they serve and thereby
1753 creating the need for innovative solutions for the provision of
1754 housing opportunities for essential services personnel.

1755 (2) The Community Workforce Housing Innovation Pilot
1756 Program is created to provide affordable rental and home
1757 ownership community workforce housing for essential services
1758 personnel affected by the high cost of housing, using regulatory
1759 incentives and state and local funds to promote local public-
1760 private partnerships and leverage government and private
1761 resources.

1762 (3) For purposes of this section, the following
1763 definitions apply:

1764 (a) "Workforce housing" means housing affordable to
1765 natural persons or families whose total annual household income
1766 does not exceed 140 percent of the area median income, adjusted
1767 for household size, or 150 percent of area median income,
1768 adjusted for household size, in areas of critical state concern
1769 designated under s. 380.05, Florida Statutes, for which the
1770 Legislature has declared its intent to provide affordable
1771 housing, and areas that were designated as areas of critical
1772 state concern for at least 20 consecutive years prior to removal
1773 of the designation.

1774 (b) "Essential services personnel" means persons in need
1775 of affordable housing who are employed in occupations or
1776 professions in which they are considered essential services
1777 personnel, as defined by each county and eligible municipality
1778 within its respective local housing assistance plan pursuant to
1779 s. 420.9075(3)(a), Florida Statutes.

1780 (c) "Public-private partnership" means any form of
1781 business entity that includes substantial involvement of at
1782 least one county, one municipality, or one public sector entity,
1783 such as a school district or other unit of local government in
1784 which the project is to be located, and at least one private
1785 sector for-profit or not-for-profit business or charitable
1786 entity, and may be any form of business entity, including a
1787 joint venture or contractual agreement.

1788 (4) The Florida Housing Finance Corporation is authorized
1789 to provide Community Workforce Housing Innovation Pilot Program
1790 loans to an applicant for construction or rehabilitation of
1791 workforce housing in eligible areas. The corporation shall
1792 establish a funding process and selection criteria by rule or
1793 request for proposals. This funding is intended to be used with
1794 other public and private sector resources.

1795 (5) The corporation shall provide incentives for local
1796 governments in eligible areas to use local affordable housing
1797 funds, such as those from the State Housing Initiatives
1798 Partnership Program, to assist in meeting the affordable housing
1799 needs of persons eligible under this program.

1800 (6) Funding shall be targeted to projects in areas where
1801 the disparity between the area median income and the median
1802 sales price for a single-family home is greatest, and for
1803 projects in areas where population growth as a percentage rate
1804 of increase is greatest. The corporation may also fund projects
1805 in areas where innovative regulatory and financial incentives
1806 are made available. This program is intended to fund one program
1807 per county.

1808 (7) Projects shall receive priority consideration for
1809 funding where:

1810 (a) The local jurisdiction adopts appropriate regulatory
1811 incentives, local contributions or financial strategies, or
1812 other funding sources to promote the development and ongoing
1813 financial viability of such projects. Local incentives include
1814 such actions as expediting review of development orders and

1815 permits, supporting development near transportation hubs and
1816 major employment centers, and adopting land development
1817 regulations designed to allow flexibility in densities, use of
1818 accessory units, mixed-use developments, and flexible lot
1819 configurations. Financial strategies include such actions as
1820 promoting employer-assisted housing programs, providing tax
1821 increment financing, and providing land.

1822 (b) Projects are innovative and include new construction
1823 or rehabilitation, mixed-income housing, or commercial and
1824 housing mixed-use elements and those that promote homeownership.
1825 The program funding shall not exceed the costs attributable to
1826 the portion of the project that is set aside to provide housing
1827 for the targeted population.

1828 (c) Projects that set aside at least 80 percent of units
1829 for workforce housing and at least 50 percent for essential
1830 services personnel and for projects that require the least
1831 amount of program funding compared to the overall housing costs
1832 for the project.

1833 (8) Notwithstanding the provisions of s. 163.3184(3)-(6),
1834 Florida Statutes, any local government comprehensive plan
1835 amendment to implement a Community Workforce Housing Innovation
1836 Pilot Program project found consistent with the provisions of
1837 this section shall be expedited as provided in this subsection.
1838 At least 30 days prior to adopting a plan amendment pursuant to
1839 this paragraph, the local government shall notify the state land
1840 planning agency of its intent to adopt such an amendment, and
1841 the notice shall include its evaluation related to site

1842 suitability and availability of facilities and services. The
1843 public notice of the hearing required by s. 163.3184(15)(e),
1844 Florida Statutes, shall include a statement that the local
1845 government intends to utilize the expedited adoption process
1846 authorized by this subsection. Such amendments shall require
1847 only a single public hearing before the governing board, which
1848 shall be an adoption hearing as described in s. 163.3184(7),
1849 Florida Statutes, and the state land planning agency shall issue
1850 its notice of intent pursuant to s. 163.3184(8), Florida
1851 Statutes, within 30 days after determining that the amendment
1852 package is complete.

1853 (9) The corporation shall award loans with interest rates
1854 set at 1 to 3 percent, which may be made forgivable when long-
1855 term affordability is provided and when at least 80 percent of
1856 the units are set aside for workforce housing and at least 50
1857 percent of the units are set aside for essential services
1858 personnel.

1859 (10) All eligible applications shall:

1860 (a) For home ownership, limit the sales price of a
1861 detached unit, townhome, or condominium unit to not more than 80
1862 percent of the median sales price for that type of unit in that
1863 county, or the statewide median sales price for that type of
1864 unit, whichever is higher, and require that all eligible
1865 purchasers of home ownership units occupy the homes as their
1866 primary residence.

1867 (b) For rental units, restrict rents for all workforce
1868 housing serving those with incomes at or below 120 percent of

1869 area median income at the appropriate income level using the
1870 restricted rents for the federal low-income housing tax credit
1871 program and, for workforce housing units serving those with
1872 incomes above 120 percent of area median income, restrict rents
1873 to those established by the corporation, not to exceed 30
1874 percent of the maximum household income adjusted to unit size.

1875 (c) Demonstrate that the applicant is a public-private
1876 partnership.

1877 (d) Have grants, donations of land, or contributions from
1878 the public-private partnership or other sources collectively
1879 totaling at least 15 percent of the total development cost. Such
1880 grants, donations of land, or contributions must be evidenced by
1881 a letter of commitment only at the time of application.

1882 (e) Demonstrate how the applicant will use the regulatory
1883 incentives and financial strategies outlined in paragraph (7)(a)
1884 from the local jurisdiction in which the proposed project is to
1885 be located. The corporation may consult with the Department of
1886 Community Affairs in evaluating the use of regulatory incentives
1887 by applicants.

1888 (f) Demonstrate that the applicant possesses title to or
1889 site control of land and evidences availability of required
1890 infrastructure.

1891 (g) Demonstrate the applicant's affordable housing
1892 development and management experience.

1893 (h) Provide any research or facts available supporting the
1894 demand and need for rental or home ownership workforce housing

1895 for eligible persons in the market in which the project is
 1896 proposed.

1897 (11) When ownership of the land or property utilized for
 1898 development in conjunction with the Community Workforce Housing
 1899 Innovation Pilot Program grant is to be held by any public
 1900 sector entity, as described in this section, the applicant may
 1901 choose to use a nonprofit or public entity to manage the
 1902 resulting housing program and must demonstrate that such
 1903 management entity:

1904 (a) Has experience and is proficient in the management of
 1905 affordable housing programs.

1906 (b) Has regularly conducted independent audits.

1907 (12) Projects may include manufactured housing constructed
 1908 after June 1994 and installed in accordance with mobile home
 1909 installation standards of the Department of Highway Safety and
 1910 Motor Vehicles.

1911 (13) The corporation may adopt rules pursuant to ss.
 1912 120.536(1) and 120.54, Florida Statutes, to implement the
 1913 provisions of this section.

1914 (14) The corporation may use a maximum of 2 percent of the
 1915 annual appropriation for administration and compliance
 1916 monitoring.

1917 (15) The corporation shall review the success of the
 1918 Community Workforce Housing Innovation Pilot Program to
 1919 ascertain whether the projects financed by the program are
 1920 useful in meeting the housing needs of eligible areas. The
 1921 corporation shall submit its report and any recommendations

1922 regarding the program to the Governor, the Speaker of the House
 1923 of Representatives, and the President of the Senate not later
 1924 than 2 months after the end of the corporation's fiscal year.

1925 Section 32. Affordable housing land donation density bonus
 1926 incentives.--

1927 (1) A local government may provide density bonus
 1928 incentives pursuant to the provisions of this section to any
 1929 landowner who voluntarily donates fee simple interest in real
 1930 property to the local government for the purpose of assisting
 1931 the local government in providing affordable housing. Donated
 1932 real property must be determined by the local government to be
 1933 appropriate for use as affordable housing and must be subject to
 1934 deed restrictions to ensure that the property will be used for
 1935 affordable housing.

1936 (2) For purposes of this section, the terms "affordable,"
 1937 "extremely-low-income persons," "low-income persons," "moderate-
 1938 income persons," and "very-low-income persons," have the same
 1939 meaning as in s. 420.0004, Florida Statutes.

1940 (3) The density bonus may be applied to any land within
 1941 the local government's jurisdiction provided that residential
 1942 use is an allowable use on the receiving land.

1943 (4) The density bonus, identification of receiving land
 1944 for the bonus, and any other conditions associated with the
 1945 donation of the land for affordable housing are the subject of
 1946 review and approval by the local government. The award of
 1947 density bonus pursuant to this section, the legal description of
 1948 the land receiving the bonus, and any other conditions

1949 associated with the bonus shall be memorialized in a development
 1950 agreement or other binding agreement and recorded with the clerk
 1951 of court in the county where the donated land and receiving land
 1952 are located.

1953 (5) The local government, as part of the approval process,
 1954 shall adopt a comprehensive plan amendment, pursuant to part II
 1955 of chapter 163, Florida Statutes, for the receiving land that
 1956 incorporates the density bonus. Such amendment shall be adopted
 1957 in the manner as required for small-scale amendments pursuant to
 1958 s. 163.3187, Florida Statutes, is not subject to the
 1959 requirements of s. 163.3184(3)-(6), Florida Statutes, and is
 1960 exempt from the limitation on the frequency of plan amendments
 1961 as provided in s. 163.3187, Florida Statutes.

1962 (6) The deed restrictions required pursuant to subsection
 1963 (1) for an affordable housing unit must also prohibit the unit
 1964 from being sold at a price that exceeds the threshold for
 1965 housing that is affordable for low-income or moderate-income
 1966 persons or to a buyer who is not eligible due to his or her
 1967 income under chapter 420, Florida Statutes. The deed restriction
 1968 may allow affordable housing units created under subsection (1)
 1969 to be rented to extremely-low-income, very-low-income, low-
 1970 income, or moderate-income persons.

1971 (7) The local government may transfer all or a portion of
 1972 the donated land to a nonprofit housing organization, such as a
 1973 community land trust, housing authority, or community
 1974 redevelopment agency, to be used for the production and
 1975 preservation of permanently affordable housing.

1976 Section 33. The Department of Community Affairs shall
 1977 establish the Home Retrofit Hardening Program. The program is a
 1978 competitive grant program to fund improvements to homes
 1979 constructed before the implementation of the current Florida
 1980 Building Code when the improvements will directly affect the
 1981 home's ability to withstand hurricane force winds and improve
 1982 the home's rating for home insurance. Site-built and mobile
 1983 homes are eligible for funding under this program. However,
 1984 priority shall be given to low-income homeowners, as defined in
 1985 s. 420.0004(10), Florida Statutes, who live in wind-borne debris
 1986 regions as defined in the Florida Building Code.

1987 (1) The program shall be administered by local
 1988 governments, regional planning councils, or private nonprofit
 1989 agencies under the overall direction of the department. When
 1990 awarding program funds, the department shall be guided by:

1991 (a) The number of homes in need of improvement.

1992 (b) The number of homes located within the wind-borne
 1993 debris region.

1994 (c) The number of persons who will benefit from the
 1995 improvements.

1996 (d) The number of extremely-low-income, very-low-income,
 1997 and low-income households that will benefit from the
 1998 improvements.

1999 (e) The costs per home to provide improvements.

2000 (2) Funds may be used for the following improvements
 2001 installed in compliance with Blueprint for Safety standards:

2002 (a) Roof deck attachments.

2003 (b) Secondary water barriers.

2004 (c) Roof coverings.

2005 (d) Brace gable ends.

2006 (e) Reinforcement of roof-to-wall connections.

2007 (f) Opening protection.

2008 (g) Exterior doors.

2009 (3) Each project grant for an individual home retrofit may
 2010 not exceed \$10,000.

2011 (4) Administrative costs shall be kept to a minimum.

2012 (5) Grantees are encouraged to leverage grant funds
 2013 available under this program with other available funds.
 2014 Matching funds for a project is not a requirement. However,
 2015 matching funds from other available sources may be considered by
 2016 the department in the competitive-review process.

2017 (6) The sum of \$50 million is appropriated from the United
 2018 States Contributions Trust Fund to the Department of Community
 2019 Affairs in fixed capital outlay for the Home Retrofit Hardening
 2020 Program. No more than 5 percent of the funds provided under this
 2021 section may be used by the department for administration of this
 2022 funding.

2023 Section 34. The Department of Community Affairs shall
 2024 establish the Disaster Recovery Assistance Program which shall
 2025 be a grant program to fund repairs and rehabilitation to homes
 2026 in communities severely impacted by the 2004 and 2005
 2027 hurricanes. These funds shall be leveraged with other program
 2028 funds targeted to the most vulnerable citizens of the state. The
 2029 sum of \$2 million is appropriated in fixed capital outlay from

2030 the State Housing Trust Fund in the Department of Community
2031 Affairs for the Disaster Recovery Assistance Program. For the
2032 purposes of implementing this section, the Florida Housing
2033 Finance Corporation is provided nonoperating budget authority to
2034 transfer \$2 million from the State Housing Trust Fund to the
2035 Department of Community Affairs.

2036 Section 35. The Florida Housing Finance Corporation is
2037 authorized to provide funds to eligible entities for affordable
2038 housing recovery in those areas of the state which sustained
2039 housing damage due to hurricanes during 2004 and 2005. The
2040 Florida Housing Finance Corporation shall utilize data provided
2041 by the Federal Emergency Management Agency to assist in its
2042 allocation of funds to local jurisdictions. To administer these
2043 programs, the Florida Housing Finance Corporation shall be
2044 guided by the "Hurricane Housing Work Group Recommendations to
2045 Assist in Florida's Long Term Housing Recovery Efforts" report
2046 dated February 16, 2005, and may adopt emergency rules pursuant
2047 to s. 120.54, Florida Statutes. The Legislature finds that
2048 emergency rules adopted pursuant to this section meet the
2049 health, safety, and welfare requirement of s. 120.54(4), Florida
2050 Statutes. The Legislature finds that such emergency rulemaking
2051 power is necessary for the preservation of the rights and
2052 welfare of the people in order to provide additional funds to
2053 assist those areas of the state that sustained housing damage
2054 due to hurricanes during 2004 and 2005. Therefore, in adopting
2055 such emergency rules, the corporation need not make the findings
2056 required by s. 120.54(4)(a), Florida Statutes. Emergency rules

2057 adopted under this section are exempt from s. 120.54(4)(c),
2058 Florida Statutes. The sum of \$15 million is appropriated from
2059 the Local Government Housing Trust Fund to the Florida Housing
2060 Finance Corporation for the Hurricane Housing Recovery Program.
2061 The corporation may use a maximum of one-quarter of 1 percent of
2062 the \$15 million appropriation for the Hurricane Housing Recovery
2063 Program for administration, monitoring, and compliance of the
2064 provisions of the program. There is appropriated from the State
2065 Housing Trust Fund to the Florida Housing Finance Corporation
2066 the sum of \$25 million for the Farmworker Housing Recovery
2067 Program and the Special Housing Assistance and Development
2068 Program, the sum of \$400,000 for technical and training
2069 assistance, and the sum of \$176.6 million for the Rental
2070 Recovery Loan Program.

2071 Section 36. The sum of \$82,904,000 is appropriated from
2072 the Florida Small Cities Community Development Block Grant
2073 Program Fund to the Department of Community Affairs. These funds
2074 shall be used consistent with the Federal Register, Vol. 71, No.
2075 29, February 13, 2006, Docket No. FR-5051-N-01, and the Action
2076 Plan for Disaster Recovery approved by the United States
2077 Department of Housing and Urban Development to meet the needs of
2078 communities impacted by Hurricanes Wilma and Katrina, with a
2079 prioritization toward affordable housing in the most impacted
2080 areas of the state.

2081 Section 37. The sum of \$50 million is appropriated from
2082 the Local Government Housing Trust Fund to the Florida Housing

2083 | Finance Corporation for fiscal year 2006-2007 to implement the
2084 | Community Workforce Housing Innovation Pilot Program.

2085 | Section 38. The sum of \$33 million is appropriated from
2086 | the Local Government Housing Trust Fund to the Florida Housing
2087 | Finance Corporation for fiscal year 2006-2007 to assist in the
2088 | production of housing units for extremely-low-income persons as
2089 | defined in s. 420.0004(8), Florida Statutes.

2090 | Section 39. Except as otherwise expressly provided in this
2091 | act, this act shall take effect July 1, 2006.