

By Senator Lawson

6-1472-06

See HB

1 A bill to be entitled

2 An act relating to local housing assistance;

3 amending s. 420.9075, F.S.; providing down

4 payment assistance to essential service and

5 skilled building trades personnel; providing

6 criteria for such assistance; requiring

7 compliance with the eligibility criteria to be

8 verified by the county or eligible

9 municipality; providing that the program shall

10 provide down payment assistance in an amount to

11 be determined by rule; providing that liens on

12 the recipient's property securing the

13 assistance shall be released under certain

14 conditions; encouraging counties and

15 municipalities to develop an element within

16 their local housing assistance plans

17 emphasizing the recruitment and retention of

18 such personnel; authorizing the Florida Housing

19 Finance Corporation to allocate certain funds;

20 providing the corporation with rulemaking

21 authority; amending ss. 420.9072 and 420.9079,

22 F.S.; conforming cross-references to changes

23 made by the act; providing an appropriation;

24 providing an effective date.

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

28 Section 1. Subsections (5) through (12) of section

29 420.9075, Florida Statutes, are renumbered as subsections (6)

30 through (13), respectively, and a new subsection (5) is added

31 to that section to read:

1 420.9075 Local housing assistance plans;
2 partnerships.--

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

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

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

12 2. Shall declare his or her homestead and maintain
13 residency at his or her homestead.

14 3. Shall demonstrate a 5-year minimum commitment to
15 continued employment in an essential service occupation or
16 skilled building trade within the county of current
17 employment.

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

21 (c) The program shall provide down payment assistance
22 in an amount to be determined by rule, not to exceed 25
23 percent of purchase price, if the county or eligible
24 municipality within which an eligible recipient is employed
25 provides funding through the State Housing Initiatives
26 Partnership Program to the eligible recipient under ss.
27 420.907-420.9079, whether solely or in conjunction with a
28 local housing finance agency or a private sector partner.

29 (d) Any lien on the recipient's property securing the
30 assistance provided under this subsection shall be released if
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1 the recipient fulfills the 5-year commitment specified in
2 subparagraph (a)3.

3 (e) Each county and each eligible municipality is
4 encouraged to develop an element within its local housing
5 assistance plan which emphasizes the recruitment and retention
6 of essential service personnel and persons skilled in the
7 building trades.

8 (f) Notwithstanding the distribution formula in s.
9 420.9073, the corporation is authorized to allocate funds to
10 implement this subsection and may allocate funds to projects
11 that are regional or statewide in scope.

12 (g) The corporation is authorized to make rules to
13 implement this subsection, including, but not limited to, the
14 allocation of funds and selection of projects for funding
15 under this subsection.

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

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

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

28 1. Submit to the corporation its local housing
29 assistance plan describing the local housing assistance
30 strategies established pursuant to s. 420.9075;
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1 2. Within 12 months after adopting the local housing
2 assistance plan, amend the plan to incorporate the local
3 housing incentive strategies defined in s. 420.9071(16) and
4 described in s. 420.9076; and

5 3. Within 24 months after adopting the amended local
6 housing assistance plan to incorporate the local housing
7 incentive strategies, amend its land development regulations
8 or establish local policies and procedures, as necessary, to
9 implement the local housing incentive strategies adopted by
10 the local governing body. A county or an eligible municipality
11 that has adopted a housing incentive strategy pursuant to s.
12 420.9076 before the effective date of this act shall review
13 the status of implementation of the plan according to its
14 adopted schedule for implementation and report its findings in
15 the annual report required by s. 420.9075(10)(~~9~~). If as a
16 result of the review, a county or an eligible municipality
17 determines that the implementation is complete and in
18 accordance with its schedule, no further action is necessary.
19 If a county or an eligible municipality determines that
20 implementation according to its schedule is not complete, it
21 must amend its land development regulations or establish local
22 policies and procedures, as necessary, to implement the
23 housing incentive plan within 12 months after the effective
24 date of this act, or if extenuating circumstances prevent
25 implementation within 12 months, pursuant to s.
26 420.9075(13)(~~12~~), enter into an extension agreement with the
27 corporation.

28 (b) A county or an eligible municipality seeking
29 approval to receive its share of the local housing
30 distribution must adopt an ordinance containing the following
31 provisions:

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

3 2. Adoption by resolution of a local housing
4 assistance plan as defined in s. 420.9071(14) to be
5 implemented through a local housing partnership as defined in
6 s. 420.9071(18).

7 3. Designation of the responsibility for the
8 administration of the local housing assistance plan. Such
9 ordinance may also provide for the contracting of all or part
10 of the administrative or other functions of the program to a
11 third person or entity.

12 4. Creation of the affordable housing advisory
13 committee as provided in s. 420.9076.

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15 The ordinance must not take effect until at least 30 days
16 after the date of formal adoption. Ordinances in effect prior
17 to the effective date of amendments to this section shall be
18 amended as needed to conform to new provisions.

19 Section 3. Subsection (2) of section 420.9079, Florida
20 Statutes, is amended to read:

21 420.9079 Local Government Housing Trust Fund.--

22 (2) The corporation shall administer the fund
23 exclusively for the purpose of implementing the programs
24 described in ss. 420.907-420.9078 and this section. With the
25 exception of monitoring the activities of counties and
26 eligible municipalities to determine local compliance with
27 program requirements, the corporation shall not receive
28 appropriations from the fund for administrative or personnel
29 costs. For the purpose of implementing the compliance
30 monitoring provisions of s. 420.9075(9)(~~8~~), the corporation
31 may request a maximum of \$200,000 per state fiscal year. When

1 such funding is appropriated, the corporation shall deduct the
2 amount appropriated prior to calculating the local housing
3 distribution pursuant to ss. 420.9072 and 420.9073.

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

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