

By Senator Bennett

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1 A bill to be entitled

2 An act relating to housing authorities; amending s.  
3 421.02, F.S.; revising a finding and declaration of  
4 necessity to provide that the development and  
5 implementation of mandatory family self-sufficiency  
6 programs is a purpose for which public money may be spent  
7 and private property acquired and is a governmental  
8 function of public concern; creating s. 421.041, F.S.;  
9 requiring housing authorities to develop family self-  
10 sufficiency programs; providing program objectives and  
11 requirements; authorizing the housing authority to apply  
12 to the Department of Community Affairs for funding under  
13 certain conditions; providing application requirements for  
14 funding; amending s. 421.05, F.S.; revising appointment  
15 and qualification requirements for housing authority  
16 commissioners; providing an effective date.

17  
18 Be It Enacted by the Legislature of the State of Florida:

19  
20 Section 1. Subsection (3) of section 421.02, Florida  
21 Statutes, is amended to read:

22 421.02 Finding and declaration of necessity.--It is hereby  
23 declared that:

24 (3) The clearance, replanning, and reconstruction of the  
25 areas in which insanitary or unsafe housing conditions exist and  
26 the providing of safe and sanitary dwelling accommodations for  
27 persons of low income, including the acquisition by a housing  
28 authority of property to be used for or in connection with  
29 housing projects or appurtenant thereto, and the development and

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30 implementation of mandatory family self-sufficiency programs, are  
31 exclusively public uses and purposes for which public money may  
32 be spent and private property acquired and are governmental  
33 functions of public concern.

34 Section 2. Section 421.041, Florida Statutes, is created to  
35 read:

36 421.041 Family self-sufficiency programs.--

37 (1) Each housing authority created pursuant to this chapter  
38 shall develop a family self-sufficiency program to assist persons  
39 accepted as occupants in public housing developments in becoming  
40 self-sufficient. Mandatory elements of the program shall include  
41 an in-depth and thorough analysis of the educational and social  
42 needs of participants, including parenting and homeownership  
43 skills, and the development of individualized goals designed to  
44 assist participants in meeting those needs.

45 (a) The analysis of a participant's educational and social  
46 needs shall occur prior to a participant's physical occupancy of  
47 a dwelling.

48 (b) Each participant must be provided a schedule of the  
49 times in which each individualized goal of the program must be  
50 met and the time in which all requirements of the program must be  
51 completed by the participant.

52 (c) The program must provide for day and evening child care  
53 services and job placement and homeownership assistance for each  
54 participant successfully completing the program.

55 (d) Each person accepted as a participant in the program  
56 must undergo personality and career assessments.

57 (e) Failure of a participant to timely meet the  
58 individualized goals or complete the requirements of the program

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59 shall result in a default of the participant's lease under which  
60 the lease shall be terminated. Notice of the provisions of this  
61 paragraph shall be provided to all participants and stated  
62 clearly in the lease of all persons participating in the program.

63 (2) The housing authority may apply to the Department of  
64 Community Affairs for funding to be used exclusively for costs  
65 related to implementation of a family self-sufficiency program.  
66 Applications for funding must include the housing authority's  
67 proposed family self-sufficiency program and a resolution of the  
68 board of commissioners of the housing authority adopting and  
69 approving the program. The application shall include the annual  
70 cost of implementing the program and the authority's plan for  
71 securing additional funds for such implementation.

72 (3) For purposes of this section, the term "self-  
73 sufficient" means the individual is no longer in need of services  
74 provided pursuant to this chapter.

75 Section 3. Subsection (1) of section 421.05, Florida  
76 Statutes, is amended to read:

77 421.05 Appointment, qualifications, and tenure of  
78 commissioners; hiring of employees.--

79 (1) When the governing body of a city adopts a resolution  
80 as aforesaid, the mayor, with the approval of the governing body,  
81 shall promptly appoint no fewer than four ~~five~~ persons, and the  
82 Governor, with the approval of the governing body, shall promptly  
83 appoint no fewer than three persons ~~and no more than seven~~  
84 ~~persons~~, as commissioners of the authority created for such city.  
85 Persons appointed to serve as commissioners shall be residents of  
86 the city in which they are appointed to serve. Three of the  
87 commissioners who are first appointed shall be designated to

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88 | serve for terms of 1, 2, and 3 years respectively; the remaining  
89 | commissioners shall be designated to serve for terms of 4 years  
90 | each, from the date of their appointment. Thereafter, each  
91 | commissioner shall be appointed as aforesaid for a term of office  
92 | of 4 years, except that a vacancy shall be filled for the  
93 | unexpired term by an appointment by the mayor or Governor with  
94 | the approval of the governing body within 60 days after such  
95 | vacancy occurs. Each housing authority created pursuant to this  
96 | chapter shall have at least one commissioner who shall be a  
97 | resident who is current in rent in a housing project or a person  
98 | of low or very low income who resides within the housing  
99 | authority's jurisdiction and is receiving rent subsidy through a  
100 | program administered by the authority or public housing agency  
101 | that has jurisdiction for the same locality served by the housing  
102 | authority, which commissioner shall be appointed at the time a  
103 | vacancy exists. In the case of an authority which has no  
104 | completed project, no tenant-commissioner shall be appointed  
105 | until 10 percent of the units in the first project of the  
106 | authority have been occupied. The cessation of a tenant-  
107 | commissioner's tenancy in a housing project or the cessation of  
108 | rent subsidy shall remove such tenant-commissioner from office,  
109 | and another person meeting the qualifications required for the  
110 | office shall be appointed for the unexpired portion of the term.  
111 | After all reasonable efforts have been made and documented, if  
112 | the commissioners find that no housing project resident or rent  
113 | subsidy recipient is available to serve as a tenant-commissioner,  
114 | the existing vacancy shall then be filled through the normal  
115 | appointment procedures set forth in this subsection. However,  
116 | such normal appointment shall not preclude the requirement to

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117 exercise diligence in all succeeding vacancies to attempt to  
118 first appoint a tenant-commissioner until at least one tenant-  
119 commissioner has been appointed. No commissioner of an authority  
120 may be an officer or employee of the city for which the authority  
121 is created. A commissioner shall hold office until a successor  
122 has been appointed and has qualified. A certificate of the  
123 appointment or reappointment of any commissioner shall be filed  
124 with the clerk, and such certificate shall be conclusive evidence  
125 of the due and proper appointment of such commissioner. A  
126 commissioner shall receive no compensation for his or her  
127 services but shall be entitled to the necessary expenses,  
128 including travel expenses, incurred in the discharge of his or  
129 her duties. The requirements of this subsection with respect to  
130 the number of commissioners of a housing authority apply without  
131 regard to the date on which the housing authority was created.

132 Section 4. This act shall take effect July 1, 2008.