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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2009	.	
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The Committee on Community Affairs (Bennett) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (4) of section 159.807, Florida
Statutes, is amended to read:

159.807 State allocation pool.—

(4) (a) The state allocation pool shall also be used to
provide written confirmations for private activity bonds that
are to be issued by state agencies, which bonds, notwithstanding
any other provisions of this part, shall receive priority in the



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12 use of the pool available at the time the notice of intent to
13 issue such bonds is filed with the division.

14 (b) Notwithstanding the provisions of paragraph (a), on or
15 before November 15 of each year, the Florida Housing Finance
16 Corporation's access to the state allocation pool is limited to
17 the amount of the corporation's initial allocation under s.
18 159.804. Thereafter, the corporation may not receive more than
19 80 percent of the amount in the state allocation pool on
20 November 16 of each year, and may not receive more than 80
21 percent of any additional amounts that become available during
22 each year. This subsection does not apply to the Florida Housing
23 Finance Corporation:

24 ~~1. Until its allocation pursuant to s. 159.804(3) has been~~
25 ~~exhausted, is unavailable, or is inadequate to provide an~~
26 ~~allocation pursuant to s. 159.804(3) and any carryforwards of~~
27 ~~volume limitation from prior years for the same carryforward~~
28 ~~purpose, as that term is defined in s. 146 of the Code, as the~~
29 ~~bonds it intends to issue have been completely utilized or have~~
30 ~~expired.~~

31 ~~2. Prior to July 1 of any year, when housing bonds for~~
32 ~~which the Florida Housing Finance Corporation has made an~~
33 ~~assignment of its allocation permitted by s. 159.804(3)(c) have~~
34 ~~not been issued.~~

35 Section 2. Section 193.018, Florida Statutes, is created to
36 read:

37 193.018 Land owned by a community land trust used to
38 provide affordable housing; assessment; structural improvements,
39 condominium parcels, and cooperative parcels.-

40 (1) As used in this section, the term "community land



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41 trust” means a nonprofit entity that is qualified as charitable
42 under s. 501(c) (3) of the Internal Revenue Code and has as one
43 of its purposes the acquisition of land to be held in perpetuity
44 for the primary purpose of providing affordable homeownership.

45 (2) A community land trust may convey structural
46 improvements, condominium parcels, or cooperative parcels, that
47 are located on specific parcels of land that are identified by a
48 legal description contained in and subject to a ground lease
49 having a term of at least 99 years, for the purpose of providing
50 affordable housing to natural persons or families who meet the
51 extremely-low-income, very-low-income, low-income, or moderate-
52 income limits specified in s. 420.0004, or the income limits for
53 workforce housing, as defined in s. 420.5095(3). A community
54 land trust shall retain a preemptive option to purchase any
55 structural improvements, condominium parcels, or cooperative
56 parcels on the land at a price determined by a formula specified
57 in the ground lease which is designed to ensure that the
58 structural improvements, condominium parcels, or cooperative
59 parcels remain affordable.

60 (3) In arriving at just valuation under s. 193.011, a
61 structural improvement, condominium parcel, or cooperative
62 parcel providing affordable housing on land owned by a community
63 land trust, and the land owned by a community land trust that is
64 subject to a 99-year or longer ground lease, shall be assessed
65 using the following criteria:

66 (a) The amount a willing purchaser would pay a willing
67 seller for the land is limited to an amount commensurate with
68 the terms of the ground lease that restricts the use of the land
69 to the provision of affordable housing in perpetuity.



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70 (b) The amount a willing purchaser would pay a willing
71 seller for resale-restricted improvements, condominium parcels,
72 or cooperative parcels is limited to the amount determined by
73 the formula in the ground lease.

74 (c) If the ground lease and all amendments and supplements
75 thereto, or a memorandum documenting how such lease and
76 amendments or supplements restrict the price at which the
77 improvements, condominium parcels, or cooperative parcels may be
78 sold, is recorded in the official public records of the county
79 in which the leased land is located, the recorded lease and any
80 amendments and supplements, or the recorded memorandum, shall be
81 deemed a land use regulation during the term of the lease as
82 amended or supplemented.

83 Section 3. Subsection (5) is added to section 196.196,
84 Florida Statutes, to read:

85 196.196 Determining whether property is entitled to
86 charitable, religious, scientific, or literary exemption.-

87 (5) (a) Property owned by an exempt organization qualified
88 as charitable under s. 501(c) (3) of the Internal Revenue Code is
89 used for a charitable purpose if the organization has taken
90 affirmative steps to prepare the property to provide affordable
91 housing to persons or families that meet the extremely-low-
92 income, very-low-income, low-income, or moderate-income limits,
93 as specified in s. 420.0004. The term "affirmative steps" means
94 environmental or land use permitting activities, creation of
95 architectural plans or schematic drawings, land clearing or site
96 preparation, construction or renovation activities, or other
97 similar activities that demonstrate a commitment of the property
98 to providing affordable housing.



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99 (b)1. If property owned by an organization granted an
100 exemption under this subsection is transferred for a purpose
101 other than directly providing affordable homeownership or rental
102 housing to persons or families who meet the extremely-low-
103 income, very-low-income, low-income, or moderate-income limits,
104 as specified in s. 420.0004, or is not in actual use to provide
105 such affordable housing within 5 years after the date the
106 organization is granted the exemption, the property appraiser
107 making such determination shall serve upon the organization that
108 illegally or improperly received the exemption a notice of
109 intent to record in the public records of the county a notice of
110 tax lien against any property owned by that organization in the
111 county, and such property shall be identified in the notice of
112 tax lien. The organization owning such property is subject to
113 the taxes otherwise due and owing as a result of the failure to
114 use the property to provide affordable housing plus 15 percent
115 interest per annum and a penalty of 50 percent of the taxes
116 owed.

117 2. Such lien, when filed, attaches to any property
118 identified in the notice of tax lien owned by the organization
119 that illegally or improperly received the exemption. If such
120 organization no longer owns property in the county but owns
121 property in any other county in the state, the property
122 appraiser shall record in each such other county a notice of tax
123 lien identifying the property owned by such organization in such
124 county which shall become a lien against the identified
125 property. Before any such lien may be filed, the organization so
126 notified must be given 30 days to pay the taxes, penalties, and
127 interest.



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128 3. If an exemption is improperly granted as a result of a
129 clerical mistake or an omission by the property appraiser, the
130 organization improperly receiving the exemption shall not be
131 assessed penalty and interest.

132 4. The 5-year limitation specified in this subsection may
133 be extended provided the holder of the exemption continues to
134 take affirmative steps to develop the property for the purposes
135 specified in this subsection.

136 Section 4. Section 196.1978, Florida Statutes, is amended
137 to read:

138 196.1978 Affordable housing property exemption.-

139 Property used to provide affordable housing serving
140 eligible persons as defined by s. 159.603(7) and natural persons
141 or families meeting the extremely-low-income, very-low-income,
142 low-income, or moderate-income persons meeting income limits
143 specified in s. 420.0004 s. 420.0004(8), (10), (11), and (15),
144 which property is owned entirely by a nonprofit entity that is a
145 corporation not for profit, qualified as charitable under s.
146 501(c) (3) of the Internal Revenue Code and in compliance with
147 Rev. Proc. 96-32, 1996-1 C.B. 717, or a Florida-based limited
148 partnership, the sole general partner of which is a corporation
149 not for profit which is qualified as charitable under s.
150 501(c) (3) of the Internal Revenue Code and which complies with
151 Rev. Proc. 96-32, 1996-1 C.B. 717, shall be considered property
152 owned by an exempt entity and used for a charitable purpose, and
153 those portions of the affordable housing property which provide
154 housing to natural persons or families classified as extremely
155 low income, very low income, low income, or moderate income
156 under s. 420.0004 individuals with incomes as defined in s.



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157 ~~420.0004(10) and (15)~~ shall be exempt from ad valorem taxation
158 to the extent authorized in s. 196.196. All property identified
159 in this section shall comply with the criteria for determination
160 of exempt status to be applied by property appraisers on an
161 annual basis as defined in s. 196.195. The Legislature intends
162 that any property owned by a limited liability company or
163 limited partnership which is disregarded as an entity for
164 federal income tax purposes pursuant to Treasury Regulation
165 301.7701-3(b)(1)(ii) shall be treated as owned by its sole
166 member or sole general partner.

167 Section 5. Paragraph (d) of subsection (2) of section
168 212.055, Florida Statutes, is amended to read:

169 212.055 Discretionary sales surtaxes; legislative intent;
170 authorization and use of proceeds.—It is the legislative intent
171 that any authorization for imposition of a discretionary sales
172 surtax shall be published in the Florida Statutes as a
173 subsection of this section, irrespective of the duration of the
174 levy. Each enactment shall specify the types of counties
175 authorized to levy; the rate or rates which may be imposed; the
176 maximum length of time the surtax may be imposed, if any; the
177 procedure which must be followed to secure voter approval, if
178 required; the purpose for which the proceeds may be expended;
179 and such other requirements as the Legislature may provide.
180 Taxable transactions and administrative procedures shall be as
181 provided in s. 212.054.

182 (2) LOCAL GOVERNMENT INFRASTRUCTURE SURTAX.—

183 (d)~~1~~. The proceeds of the surtax authorized by this
184 subsection and any accrued interest ~~accrued thereto~~ shall be
185 expended by the school district, or within the county and



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186 municipalities within the county, or, in the case of a
187 negotiated joint county agreement, within another county, to
188 finance, plan, and construct infrastructure; ~~and~~ to acquire land
189 for public recreation, ~~or~~ conservation, or protection of natural
190 resources; ~~or and~~ to finance the closure of county-owned or
191 municipally owned solid waste landfills that have been ~~are~~
192 ~~already~~ closed or are required to be closed ~~close~~ by order of
193 the Department of Environmental Protection. Any use of the such
194 proceeds or interest for purposes of landfill closure before
195 ~~prior to~~ July 1, 1993, is ratified. ~~Neither~~ The proceeds and ~~nor~~
196 any interest may not ~~accrued thereto shall~~ be used for the
197 operational expenses of ~~any~~ infrastructure, except that a ~~any~~
198 county that has ~~with~~ a population of fewer ~~less~~ than 75,000 and
199 that is required to close a landfill ~~by order of the Department~~
200 ~~of Environmental Protection~~ may use the proceeds or ~~any~~ interest
201 ~~accrued thereto~~ for long-term maintenance costs associated with
202 landfill closure. Counties, as defined in s. 125.011 ~~s.~~
203 ~~125.011(1)~~, and charter counties may, in addition, use the
204 proceeds or ~~and any~~ interest ~~accrued thereto~~ to retire or
205 service indebtedness incurred for bonds issued before ~~prior to~~
206 July 1, 1987, for infrastructure purposes, and for bonds
207 subsequently issued to refund such bonds. Any use of the such
208 proceeds or interest for purposes of retiring or servicing
209 indebtedness incurred for ~~such~~ refunding bonds before ~~prior to~~
210 July 1, 1999, is ratified.

211 1.2. For the purposes of this paragraph, the term
212 "infrastructure" means:

213 a. Any fixed capital expenditure or fixed capital outlay
214 associated with the construction, reconstruction, or improvement



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215 of public facilities that have a life expectancy of 5 or more
216 years and any related land acquisition, land improvement,
217 design, and engineering costs ~~related thereto~~.

218 b. A fire department vehicle, an emergency medical service
219 vehicle, a sheriff's office vehicle, a police department
220 vehicle, or any other vehicle, and the ~~such~~ equipment necessary
221 to outfit the vehicle for its official use or equipment that has
222 a life expectancy of at least 5 years.

223 c. Any expenditure for the construction, lease, or
224 maintenance of, or provision of utilities or security for,
225 facilities, as defined in s. 29.008.

226 d. Any fixed capital expenditure or fixed capital outlay
227 associated with the improvement of private facilities that have
228 a life expectancy of 5 or more years and that the owner agrees
229 to make available for use on a temporary basis as needed by a
230 local government as a public emergency shelter or a staging area
231 for emergency response equipment during an emergency officially
232 declared by the state or by the local government under s.
233 252.38. Such improvements ~~under this sub-subparagraph~~ are
234 limited to those necessary to comply with current standards for
235 public emergency evacuation shelters. The owner must ~~shall~~ enter
236 into a written contract with the local government providing the
237 improvement funding to make the ~~such~~ private facility available
238 to the public for purposes of emergency shelter at no cost to
239 the local government for a minimum ~~period~~ of 10 years after
240 completion of the improvement, with the provision that the ~~such~~
241 obligation will transfer to any subsequent owner until the end
242 of the minimum period.

243 e. Any land acquisition expenditure for a residential



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244 housing project in which at least 30 percent of the units are
245 affordable to individuals or families whose total annual
246 household income does not exceed 120 percent of the area median
247 income adjusted for household size, if the land is owned by a
248 local government or by a special district that enters into a
249 written agreement with the local government to provide such
250 housing. The local government or special district may enter into
251 a ground lease with a public or private person or entity for
252 nominal or other consideration for the construction of the
253 residential housing project on land acquired pursuant to this
254 sub-subparagraph.

255 ~~2.3.~~ Notwithstanding any other provision of this
256 subsection, a local government infrastructure discretionary
257 ~~sales~~ surtax imposed or extended after July 1, 1998, the
258 ~~effective date of this act~~ may allocate up to ~~provide for an~~
259 ~~amount not to exceed~~ 15 percent of the ~~local option sales~~ surtax
260 proceeds ~~to be allocated~~ for deposit in ~~to~~ a trust fund within
261 the county's accounts created for the purpose of funding
262 economic development projects having ~~of~~ a general public purpose
263 of improving ~~targeted to improve~~ local economies, including the
264 funding of operational costs and incentives related to ~~such~~
265 economic development. The ballot statement must indicate the
266 intention to make an allocation under the authority of this
267 subparagraph.

268 Section 6. Paragraph (i) is added to subsection (2) of
269 section 163.3202, Florida Statutes, to read:

270 163.3202 Land development regulations.—

271 (2) Local land development regulations shall contain
272 specific and detailed provisions necessary or desirable to



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273 implement the adopted comprehensive plan and shall as a minimum:

274 (i) Maintain the existing density of residential properties
275 or recreational vehicle parks if the properties are intended for
276 residential use and are located in the unincorporated areas that
277 have sufficient infrastructure, as determined by a local
278 governing authority.

279 Section 7. Present subsections (25) through (41) of section
280 420.503, Florida Statutes, are redesignated as subsections (26)
281 through (42), respectively, and a new subsection (25) is added
282 to that section to read:

283 420.503 Definitions.—As used in this part, the term:

284 (25) "Moderate rehabilitation" means repair or restoration
285 of a dwelling unit when the value of such repair or restoration
286 is 40 percent or less of the value of the dwelling unit but not
287 less than \$10,000.

288 Section 8. Paragraphs (c) and (1) of subsection (6) of
289 section 420.5087, Florida Statutes, are amended to read:

290 420.5087 State Apartment Incentive Loan Program.—There is
291 hereby created the State Apartment Incentive Loan Program for
292 the purpose of providing first, second, or other subordinated
293 mortgage loans or loan guarantees to sponsors, including for-
294 profit, nonprofit, and public entities, to provide housing
295 affordable to very-low-income persons.

296 (6) On all state apartment incentive loans, except loans
297 made to housing communities for the elderly to provide for
298 lifesafety, building preservation, health, sanitation, or
299 security-related repairs or improvements, the following
300 provisions shall apply:

301 (c) The corporation shall provide by rule for the



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302 establishment of a review committee composed of the department
303 and corporation staff and shall establish by rule a scoring
304 system for evaluation and competitive ranking of applications
305 submitted in this program, including, but not limited to, the
306 following criteria:

307 1. Tenant income and demographic targeting objectives of
308 the corporation.

309 2. Targeting objectives of the corporation which will
310 ensure an equitable distribution of loans between rural and
311 urban areas.

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

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

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

321 b. Forty percent of the units in the project for persons or
322 families who have incomes that do not exceed 60 percent of the
323 state or local median income, whichever is higher, without
324 requiring a greater amount of the loans as provided in this
325 section.

326 5. Provision for tenant counseling.

327 6. Sponsor's agreement to accept rental assistance
328 certificates or vouchers as payment for rent.

329 7. Projects requiring the least amount of a state apartment
330 incentive loan compared to overall project cost except that the



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331 share of the loan attributable to units serving extremely-low-
332 income persons shall be excluded from this requirement.

333 8. Local government contributions and local government
334 comprehensive planning and activities that promote affordable
335 housing.

336 9. Project feasibility.

337 10. Economic viability of the project.

338 11. Commitment of first mortgage financing.

339 12. Sponsor's prior experience.

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

341 14. Projects that directly implement or assist welfare-to-
342 work transitioning.

343 15. Projects that reserve units for extremely-low-income
344 persons.

345 16. Projects that include green building principles, storm-
346 resistant construction, or other elements that reduce long-term
347 costs relating to maintenance, utilities, or insurance.

348 (1) The proceeds of all loans shall be used for new
349 construction, moderate rehabilitation, or substantial
350 rehabilitation which creates or preserves affordable, safe, and
351 sanitary housing units.

352 Section 9. Section 420.628, Florida Statutes, is created to
353 read:

354 420.628 Affordable housing for children and young adults
355 leaving foster care; legislative findings and intent.-

356 (1) The Legislature finds that there are many young adults
357 who, through no fault of their own, live in foster families,
358 group homes, and institutions and who face numerous barriers to
359 a successful transition to adulthood.



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360 (2) These youth in foster care are among those who may
361 enter adulthood without the knowledge, skills, attitudes,
362 habits, and relationships that will enable them to be productive
363 members of society.

364 (3) The main barriers to safe and affordable housing for
365 youth aging out of the foster care system are cost, lack of
366 availability, the unwillingness of many landlords to rent to
367 them, and their own lack of knowledge about how to be good
368 tenants.

369 (4) The Legislature also finds that young adults who
370 emancipate from the child welfare system are at risk of becoming
371 homeless and those who were formerly in foster care are
372 disproportionately represented in the homeless population.
373 Without the stability of safe housing, all other services,
374 training, and opportunities may not be effective.

375 (5) The Legislature further finds that making affordable
376 housing available for young adults who transition from foster
377 care decreases their chance of homelessness and may increase
378 their ability to live independently in the future.

379 (6) The Legislature finds that the Road-to-Independence
380 Program, as described in s. 409.1451, is similar to the Job
381 Training Partnership Act for purposes of s. 42(i)(3)(D)(i)(II)
382 of the Internal Revenue Code.

383 (7) The Legislature affirms that young adults transitioning
384 out of foster care are to be considered eligible persons, as
385 defined in ss. 420.503(17) and 420.9071(10), for affordable
386 housing purposes and shall be encouraged to participate in
387 state, federal, and local affordable housing programs.

388 (8) It is therefore the intent of the Legislature to



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389 encourage the Florida Housing Finance Corporation, State Housing
390 Initiative Partnership Program agencies, local housing finance
391 agencies, public housing authorities and their agents,
392 developers, and other providers of affordable housing to make
393 affordable housing available to youth transitioning out of
394 foster care whenever and wherever possible.

395 (9) The Florida Housing Finance Corporation, State Housing
396 Initiative Partnership Program agencies, local housing finance
397 agencies, and public housing authorities shall coordinate with
398 the Department of Children and Family Services and their agents
399 and community-based care providers who are operating pursuant to
400 s. 409.1671 to develop and implement strategies and procedures
401 designed to increase affordable housing opportunities for young
402 adults who are leaving the child welfare system.

403 Section 10. Subsections (4), (8), (16), and (25) of section
404 420.9071, Florida Statutes, are amended, and subsections (29)
405 and (30) are added to that section, to read:

406 420.9071 Definitions.—As used in ss. 420.907–420.9079, the
407 term:

408 (4) "Annual gross income" means annual income as defined
409 under the Section 8 housing assistance payments programs in 24
410 C.F.R. part 5; annual income as reported under the census long
411 form for the recent available decennial census; or adjusted
412 gross income as defined for purposes of reporting under Internal
413 Revenue Service Form 1040 for individual federal annual income
414 tax purposes or as defined by standard practices used in the
415 lending industry as detailed in the local housing assistance
416 plan and approved by the corporation. Counties and eligible
417 municipalities shall calculate income by annualizing verified



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418 sources of income for the household as the amount of income to
419 be received in a household during the 12 months following the
420 effective date of the determination.

421 (8) "Eligible housing" means any real and personal property
422 located within the county or the eligible municipality which is
423 designed and intended for the primary purpose of providing
424 decent, safe, and sanitary residential units that are designed
425 to meet the standards of the Florida Building Code or previous
426 building codes adopted under chapter 553, or manufactured
427 housing constructed after June 1994 and installed in accordance
428 with the installation standards for mobile or manufactured homes
429 contained in rules of the Department of Highway Safety and Motor
430 Vehicles, for home ownership or rental for eligible persons as
431 designated by each county or eligible municipality participating
432 in the State Housing Initiatives Partnership Program.

433 (16) "Local housing incentive strategies" means local
434 regulatory reform or incentive programs to encourage or
435 facilitate affordable housing production, which include at a
436 minimum, assurance that permits as defined in s. 163.3164(7) and
437 (8) for affordable housing projects are expedited to a greater
438 degree than other projects; an ongoing process for review of
439 local policies, ordinances, regulations, and plan provisions
440 that increase the cost of housing prior to their adoption; and a
441 schedule for implementing the incentive strategies. Local
442 housing incentive strategies may also include other regulatory
443 reforms, such as those enumerated in s. 420.9076 or those
444 recommended by the affordable housing advisory committee in its
445 triennial evaluation of the implementation of affordable housing
446 incentives, and adopted by the local governing body.



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447 (25) "Recaptured funds" means funds that are recouped by a
448 county or eligible municipality in accordance with the recapture
449 provisions of its local housing assistance plan pursuant to s.
450 420.9075(5) (h) ~~(g)~~ from eligible persons or eligible sponsors,
451 which funds were not used for assistance to an eligible
452 household for an eligible activity, when there is a ~~who~~ default
453 on the terms of a grant award or loan award.

454 (29) "Assisted housing" or "assisted housing development"
455 means a rental housing development, including rental housing in
456 a mixed-use development, that received or currently receives
457 funding from any federal or state housing program.

458 (30) "Preservation" means actions taken to keep rents in
459 existing assisted housing affordable for extremely-low-income,
460 very-low-income, low-income, and moderate-income households
461 while ensuring that the property stays in good physical and
462 financial condition for an extended period.

463 Section 11. Subsections (6) and (7) of section 420.9072,
464 Florida Statutes, are amended to read:

465 420.9072 State Housing Initiatives Partnership Program.—The
466 State Housing Initiatives Partnership Program is created for the
467 purpose of providing funds to counties and eligible
468 municipalities as an incentive for the creation of local housing
469 partnerships, to expand production of and preserve affordable
470 housing, to further the housing element of the local government
471 comprehensive plan specific to affordable housing, and to
472 increase housing-related employment.

473 (6) The moneys that otherwise would be distributed pursuant
474 to s. 420.9073 to a local government that does not meet the
475 program's requirements for receipts of such distributions shall



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476 remain in the Local Government Housing Trust Fund to be
477 administered by the corporation ~~pursuant to s. 420.9078.~~

478 (7) A county or an eligible municipality must expend its
479 portion of the local housing distribution only to implement a
480 local housing assistance plan or as provided in this subsection.

481 (a) A county or an eligible municipality may not expend its
482 portion of the local housing distribution to provide rent
483 subsidies; however, this does not prohibit the use of funds for
484 security and utility deposit assistance.

485 (b) A county or an eligible municipality may expend a
486 portion of the local housing distribution to provide a one-time
487 relocation grant to persons who meet the income requirements of
488 the State Housing Initiatives Partnership Program and who are
489 subject to eviction from rental property located in the county
490 or eligible municipality due to the foreclosure of the rental
491 property. In order to receive a grant under this paragraph, a
492 person must provide the county or eligible municipality with
493 proof of meeting the income requirements of a very-low-income
494 household, a low-income household, or a moderate-income
495 household; a notice of eviction; and proof that the rent has
496 been paid for at least 3 months before the date of eviction,
497 including the month that the notice of eviction was served.
498 Relocation assistance under this paragraph is limited to a one-
499 time grant of not more than \$5,000 and is not limited to persons
500 who are subject to eviction from projects funded under the State
501 Housing Initiatives Partnership Program. This paragraph expires
502 July 1, 2010.

503 Section 12. Subsections (1) and (2) of section 420.9073,
504 Florida Statutes, are amended, and subsections (5), (6), and (7)



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505 are added to that section, to read:

506 420.9073 Local housing distributions.—

507 (1) Distributions calculated in this section shall be
508 disbursed on a quarterly or more frequent ~~monthly~~ basis by the
509 corporation ~~beginning the first day of the month after program~~
510 ~~approval~~ pursuant to s. 420.9072, subject to availability of
511 funds. Each county's share of the funds to be distributed from
512 the portion of the funds in the Local Government Housing Trust
513 Fund received pursuant to s. 201.15(9) shall be calculated by
514 the corporation for each fiscal year as follows:

515 (a) Each county other than a county that has implemented
516 the provisions of chapter 83-220, Laws of Florida, as amended by
517 chapters 84-270, 86-152, and 89-252, Laws of Florida, shall
518 receive the guaranteed amount for each fiscal year.

519 (b) Each county other than a county that has implemented
520 the provisions of chapter 83-220, Laws of Florida, as amended by
521 chapters 84-270, 86-152, and 89-252, Laws of Florida, may
522 receive an additional share calculated as follows:

523 1. Multiply each county's percentage of the total state
524 population excluding the population of any county that has
525 implemented the provisions of chapter 83-220, Laws of Florida,
526 as amended by chapters 84-270, 86-152, and 89-252, Laws of
527 Florida, by the total funds to be distributed.

528 2. If the result in subparagraph 1. is less than the
529 guaranteed amount as determined in subsection (3), that county's
530 additional share shall be zero.

531 3. For each county in which the result in subparagraph 1.
532 is greater than the guaranteed amount as determined in
533 subsection (3), the amount calculated in subparagraph 1. shall



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534 be reduced by the guaranteed amount. The result for each such
535 county shall be expressed as a percentage of the amounts so
536 determined for all counties. Each such county shall receive an
537 additional share equal to such percentage multiplied by the
538 total funds received by the Local Government Housing Trust Fund
539 pursuant to s. 201.15(9) reduced by the guaranteed amount paid
540 to all counties.

541 (2) ~~Effective July 1, 1995,~~ Distributions calculated in
542 this section shall be disbursed on a quarterly or more frequent
543 ~~monthly~~ basis by the corporation ~~beginning the first day of the~~
544 ~~month after program approval~~ pursuant to s. 420.9072, subject to
545 availability of funds. Each county's share of the funds to be
546 distributed from the portion of the funds in the Local
547 Government Housing Trust Fund received pursuant to s. 201.15(10)
548 shall be calculated by the corporation for each fiscal year as
549 follows:

550 (a) Each county shall receive the guaranteed amount for
551 each fiscal year.

552 (b) Each county may receive an additional share calculated
553 as follows:

554 1. Multiply each county's percentage of the total state
555 population, by the total funds to be distributed.

556 2. If the result in subparagraph 1. is less than the
557 guaranteed amount as determined in subsection (3), that county's
558 additional share shall be zero.

559 3. For each county in which the result in subparagraph 1.
560 is greater than the guaranteed amount, the amount calculated in
561 subparagraph 1. shall be reduced by the guaranteed amount. The
562 result for each such county shall be expressed as a percentage



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563 of the amounts so determined for all counties. Each such county
564 shall receive an additional share equal to this percentage
565 multiplied by the total funds received by the Local Government
566 Housing Trust Fund pursuant to s. 201.15(10) as reduced by the
567 guaranteed amount paid to all counties.

568 (5) Notwithstanding subsections (1)-(4), the corporation
569 may withhold up to \$5 million of the total amount distributed
570 each fiscal year from the Local Government Housing Trust Fund to
571 provide additional funding to counties and eligible
572 municipalities where a state of emergency has been declared by
573 the Governor pursuant to chapter 252. Any portion of the
574 withheld funds not distributed by the end of the fiscal year
575 shall be distributed as provided in subsections (1) and (2).

576 (6) Notwithstanding subsections (1)-(4), the corporation
577 may withhold up to \$5 million from the total amount distributed
578 each fiscal year from the Local Government Housing Trust Fund to
579 provide funding to counties and eligible municipalities to
580 purchase properties subject to a State Housing Initiative
581 Partnership Program lien and on which foreclosure proceedings
582 have been initiated by any mortgagee. Each county and eligible
583 municipality that receives funds under this subsection shall
584 repay such funds to the corporation not later than the
585 expenditure deadline for the fiscal year in which the funds were
586 awarded. Amounts not repaid shall be withheld from the
587 subsequent year's distribution. Any portion of such funds not
588 distributed under this subsection by the end of the fiscal year
589 shall be distributed as provided in subsections (1) and (2).

590 (7) A county receiving local housing distributions under
591 this section or an eligible municipality that receives local



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592 housing distributions under an interlocal agreement shall expend
593 those funds in accordance with the provisions of ss. 420.907-
594 420.9079, rules of the corporation, and the county's local
595 housing assistance plan.

596 Section 13. Subsections (1), (3), (5), and (8), paragraphs
597 (a) and (h) of subsection (10), and paragraph (b) of subsection
598 (13) of section 420.9075, Florida Statutes, are amended, and
599 subsection (14) is added to that section, to read:

600 420.9075 Local housing assistance plans; partnerships.—

601 (1) (a) Each county or eligible municipality participating
602 in the State Housing Initiatives Partnership Program shall
603 develop and implement a local housing assistance plan created to
604 make affordable residential units available to persons of very
605 low income, low income, or moderate income and to persons who
606 have special housing needs, including, but not limited to,
607 homeless people, the elderly, ~~and~~ migrant farmworkers, and
608 persons with disabilities. Counties or eligible municipalities
609 may include strategies to assist persons and households having
610 annual incomes of not more than 140 percent of area median
611 income. The plans are intended to increase the availability of
612 affordable residential units by combining local resources and
613 cost-saving measures into a local housing partnership and using
614 private and public funds to reduce the cost of housing.

615 (b) Local housing assistance plans may allocate funds to:

616 1. Implement local housing assistance strategies for the
617 provision of affordable housing.

618 2. Supplement funds available to the corporation to provide
619 enhanced funding of state housing programs within the county or
620 the eligible municipality.



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621 3. Provide the local matching share of federal affordable
622 housing grants or programs.

623 4. Fund emergency repairs, including, but not limited to,
624 repairs performed by existing service providers under
625 weatherization assistance programs under ss. 409.509-409.5093.

626 5. Further the housing element of the local government
627 comprehensive plan adopted pursuant to s. 163.3184, specific to
628 affordable housing.

629 (3) (a) Each local housing assistance plan shall include a
630 definition of essential service personnel for the county or
631 eligible municipality, including, but not limited to, teachers
632 and educators, other school district, community college, and
633 university employees, police and fire personnel, health care
634 personnel, skilled building trades personnel, and other job
635 categories.

636 (b) Each county and each eligible municipality is
637 encouraged to develop a strategy within its local housing
638 assistance plan that emphasizes the recruitment and retention of
639 essential service personnel. The local government is encouraged
640 to involve public and private sector employers. Compliance with
641 the eligibility criteria established under this strategy shall
642 be verified by the county or eligible municipality.

643 (c) Each county and each eligible municipality is
644 encouraged to develop a strategy within its local housing
645 assistance plan that addresses the needs of persons who are
646 deprived of affordable housing due to the closure of a mobile
647 home park or the conversion of affordable rental units to
648 condominiums.

649 (d) Each county and each eligible municipality shall



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650 describe initiatives in the local housing assistance plan to
651 encourage or require innovative design, green building
652 principles, storm-resistant construction, or other elements that
653 reduce long-term costs relating to maintenance, utilities, or
654 insurance.

655 (e) Each county and each eligible municipality is
656 encouraged to develop a strategy within its local housing
657 assistance plan that provides program funds for the preservation
658 of assisted housing.

659 (5) The following criteria apply to awards made to eligible
660 sponsors or eligible persons for the purpose of providing
661 eligible housing:

662 (a) At least 65 percent of the funds made available in each
663 county and eligible municipality from the local housing
664 distribution must be reserved for home ownership for eligible
665 persons.

666 (b) At least 75 percent of the funds made available in each
667 county and eligible municipality from the local housing
668 distribution must be reserved for construction, rehabilitation,
669 or emergency repair of affordable, eligible housing.

670 (c) Not more than 25 percent of the funds made available in
671 each county and eligible municipality from the local housing
672 distribution may be used for manufactured housing.

673 (d)~~(e)~~ The sales price or value of new or existing eligible
674 housing may not exceed 90 percent of the average area purchase
675 price in the statistical area in which the eligible housing is
676 located. Such average area purchase price may be that calculated
677 for any 12-month period beginning not earlier than the fourth
678 calendar year prior to the year in which the award occurs or as



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679 otherwise established by the United States Department of the
680 Treasury.

681 (e)~~(d)~~1. All units constructed, rehabilitated, or otherwise
682 assisted with the funds provided from the local housing
683 assistance trust fund must be occupied by very-low-income
684 persons, low-income persons, and moderate-income persons except
685 as otherwise provided in this section.

686 2. At least 30 percent of the funds deposited into the
687 local housing assistance trust fund must be reserved for awards
688 to very-low-income persons or eligible sponsors who will serve
689 very-low-income persons and at least an additional 30 percent of
690 the funds deposited into the local housing assistance trust fund
691 must be reserved for awards to low-income persons or eligible
692 sponsors who will serve low-income persons. This subparagraph
693 does not apply to a county or an eligible municipality that
694 includes, or has included within the previous 5 years, an area
695 of critical state concern designated or ratified by the
696 Legislature for which the Legislature has declared its intent to
697 provide affordable housing. The exemption created by this act
698 expires on July 1, 2013 and shall apply retroactively 2008.

699 (f)~~(e)~~ Loans shall be provided for periods not exceeding 30
700 years, except for deferred payment loans or loans that extend
701 beyond 30 years which continue to serve eligible persons.

702 (g)~~(f)~~ Loans or grants for eligible rental housing
703 constructed, rehabilitated, or otherwise assisted from the local
704 housing assistance trust fund must be subject to recapture
705 requirements as provided by the county or eligible municipality
706 in its local housing assistance plan unless reserved for
707 eligible persons for 15 years or the term of the assistance,



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708 whichever period is longer. Eligible sponsors that offer rental
709 housing for sale before 15 years or that have remaining
710 mortgages funded under this program must give a first right of
711 refusal to eligible nonprofit organizations for purchase at the
712 current market value for continued occupancy by eligible
713 persons.

714 (h)~~(g)~~ Loans or grants for eligible owner-occupied housing
715 constructed, rehabilitated, or otherwise assisted from proceeds
716 provided from the local housing assistance trust fund shall be
717 subject to recapture requirements as provided by the county or
718 eligible municipality in its local housing assistance plan.

719 (i)~~(h)~~ The total amount of monthly mortgage payments or the
720 amount of monthly rent charged by the eligible sponsor or her or
721 his designee must be made affordable.

722 (j)~~(i)~~ The maximum sales price or value per unit and the
723 maximum award per unit for eligible housing benefiting from
724 awards made pursuant to this section must be established in the
725 local housing assistance plan.

726 (k)~~(j)~~ The benefit of assistance provided through the State
727 Housing Initiatives Partnership Program must accrue to eligible
728 persons occupying eligible housing. This provision shall not be
729 construed to prohibit use of the local housing distribution
730 funds for a mixed income rental development.

731 (l)~~(k)~~ Funds from the local housing distribution not used
732 to meet the criteria established in paragraph (a) or paragraph
733 (b) or not used for the administration of a local housing
734 assistance plan must be used for housing production and finance
735 activities, including, but not limited to, financing
736 preconstruction activities or the purchase of existing units,



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737 providing rental housing, and providing home ownership training
738 to prospective home buyers and owners of homes assisted through
739 the local housing assistance plan.

740 1. Notwithstanding the provisions of paragraphs (a) and
741 (b), program income as defined in s. 420.9071(24) may also be
742 used to fund activities described in this paragraph.

743 2. When preconstruction due diligence activities conducted
744 as part of a preservation strategy show that preservation of the
745 units is not feasible and will not result in the production of
746 an eligible unit, such costs shall be deemed a program expense
747 rather than an administrative expense if such program expenses
748 do not exceed 3 percent of the annual local housing
749 distribution.

750 3. If both an award under the local housing assistance plan and
751 federal low-income housing tax credits are used to assist a
752 project and there is a conflict between the criteria prescribed
753 in this subsection and the requirements of s. 42 of the Internal
754 Revenue Code of 1986, as amended, the county or eligible
755 municipality may resolve the conflict by giving precedence to
756 the requirements of s. 42 of the Internal Revenue Code of 1986,
757 as amended, in lieu of following the criteria prescribed in this
758 subsection with the exception of paragraphs (a) and (e) ~~(d)~~ of
759 this subsection.

760 4. Each county and each eligible municipality may award
761 funds as a grant for construction, rehabilitation, or repair as
762 part of disaster recovery or emergency repairs or to remedy
763 accessibility or health and safety deficiencies. Any other
764 grants must be approved as part of the local housing assistance
765 plan.



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766 (8) Pursuant to s. 420.531, the corporation shall provide
767 training and technical assistance to local governments regarding
768 the creation of partnerships, the design of local housing
769 assistance strategies, the implementation of local housing
770 incentive strategies, and the provision of support services.

771 (10) Each county or eligible municipality shall submit to
772 the corporation by September 15 of each year a report of its
773 affordable housing programs and accomplishments through June 30
774 immediately preceding submittal of the report. The report shall
775 be certified as accurate and complete by the local government's
776 chief elected official or his or her designee. Transmittal of
777 the annual report by a county's or eligible municipality's chief
778 elected official, or his or her designee, certifies that the
779 local housing incentive strategies, or, if applicable, the local
780 housing incentive plan, have been implemented or are in the
781 process of being implemented pursuant to the adopted schedule
782 for implementation. The report must include, but is not limited
783 to:

784 (a) The number of households served by income category,
785 age, family size, and race, and data regarding any special needs
786 populations such as farmworkers, homeless persons, persons with
787 disabilities, and the elderly. Counties shall report this
788 information separately for households served in the
789 unincorporated area and each municipality within the county.

790 (h) Such other data or affordable housing accomplishments
791 considered significant by the reporting county or eligible
792 municipality or by the corporation.

793 (13)

794 (b) If, as a result of its review of the annual report, the



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795 corporation determines that a county or eligible municipality
796 has failed to implement a local housing incentive strategy, or,
797 if applicable, a local housing incentive plan, it shall send a
798 notice of termination of the local government's share of the
799 local housing distribution by certified mail to the affected
800 county or eligible municipality.

801 1. The notice must specify a date of termination of the
802 funding if the affected county or eligible municipality does not
803 implement the plan or strategy and provide for a local response.
804 A county or eligible municipality shall respond to the
805 corporation within 30 days after receipt of the notice of
806 termination.

807 2. The corporation shall consider the local response that
808 extenuating circumstances precluded implementation and grant an
809 extension to the timeframe for implementation. Such an extension
810 shall be made in the form of an extension agreement that
811 provides a timeframe for implementation. The chief elected
812 official of a county or eligible municipality or his or her
813 designee shall have the authority to enter into the agreement on
814 behalf of the local government.

815 3. If the county or the eligible municipality has not
816 implemented the incentive strategy or entered into an extension
817 agreement by the termination date specified in the notice, the
818 local housing distribution share terminates, and any uncommitted
819 local housing distribution funds held by the affected county or
820 eligible municipality in its local housing assistance trust fund
821 shall be transferred to the Local Government Housing Trust Fund
822 to the credit of the corporation to administer ~~pursuant to s.~~
823 ~~420.9078.~~



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824 4.a. If the affected local government fails to meet the
825 timeframes specified in the agreement, the corporation shall
826 terminate funds. The corporation shall send a notice of
827 termination of the local government's share of the local housing
828 distribution by certified mail to the affected local government.
829 The notice shall specify the termination date, and any
830 uncommitted funds held by the affected local government shall be
831 transferred to the Local Government Housing Trust Fund to the
832 credit of the corporation to administer ~~pursuant to s. 420.9078.~~

833 b. If the corporation terminates funds to a county, but an
834 eligible municipality receiving a local housing distribution
835 pursuant to an interlocal agreement maintains compliance with
836 program requirements, the corporation shall thereafter
837 distribute directly to the participating eligible municipality
838 its share calculated in the manner provided in s. 420.9072.

839 c. Any county or eligible municipality whose local
840 distribution share has been terminated may subsequently elect to
841 receive directly its local distribution share by adopting the
842 ordinance, resolution, and local housing assistance plan in the
843 manner and according to the procedures provided in ss. 420.907-
844 420.9079.

845 (14) If the corporation determines that a county or
846 eligible municipality has expended program funds for an
847 ineligible activity, the corporation shall require such funds to
848 be repaid to the local housing assistance trust fund. Such
849 repayment may not be made with funds from the State Housing
850 Initiatives Partnership Program.

851 Section 14. Paragraph (h) of subsection (2), subsections
852 (5) and (6), and paragraph (a) of subsection (7) of section



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853 420.9076, Florida Statutes, are amended to read:

854 420.9076 Adoption of affordable housing incentive
855 strategies; committees.—

856 (2) The governing board of a county or municipality shall
857 appoint the members of the affordable housing advisory committee
858 by resolution. Pursuant to the terms of any interlocal
859 agreement, a county and municipality may create and jointly
860 appoint an advisory committee to prepare a joint plan. The
861 ordinance adopted pursuant to s. 420.9072 which creates the
862 advisory committee or the resolution appointing the advisory
863 committee members must provide for 11 committee members and
864 their terms. The committee must include:

865 (h) One citizen who actively serves on the local planning
866 agency pursuant to s. 163.3174. If the local planning agency is
867 comprised of the governing board of the county or municipality,
868 the governing board may appoint a designee who is knowledgeable
869 in the local planning process.

870
871 If a county or eligible municipality whether due to its small
872 size, the presence of a conflict of interest by prospective
873 appointees, or other reasonable factor, is unable to appoint a
874 citizen actively engaged in these activities in connection with
875 affordable housing, a citizen engaged in the activity without
876 regard to affordable housing may be appointed. Local governments
877 that receive the minimum allocation under the State Housing
878 Initiatives Partnership Program may elect to appoint an
879 affordable housing advisory committee with fewer than 11
880 representatives if they are unable to find representatives who
881 meet the criteria of paragraphs (a)-(k).



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882 (5) The approval by the advisory committee of its local
883 housing incentive strategies recommendations and its review of
884 local government implementation of previously recommended
885 strategies must be made by affirmative vote of a majority of the
886 membership of the advisory committee taken at a public hearing.
887 Notice of the time, date, and place of the public hearing of the
888 advisory committee to adopt its evaluation and final local
889 housing incentive strategies recommendations must be published
890 in a newspaper of general paid circulation in the county. The
891 notice must contain a short and concise summary of the
892 evaluation and local housing incentives strategies
893 recommendations to be considered by the advisory committee. The
894 notice must state the public place where a copy of the
895 evaluation and tentative advisory committee recommendations can
896 be obtained by interested persons. The final report, evaluation,
897 and recommendations shall be submitted to the corporation.

898 (6) Within 90 days after the date of receipt of the
899 evaluation and local housing incentive strategies
900 recommendations from the advisory committee, the governing body
901 of the appointing local government shall adopt an amendment to
902 its local housing assistance plan to incorporate the local
903 housing incentive strategies it will implement within its
904 jurisdiction. The amendment must include, at a minimum, the
905 local housing incentive strategies required under s.
906 420.9071(16). The local government must consider the strategies
907 specified in paragraphs (4) (a)-(k) as recommended by the
908 advisory committee.

909 (7) The governing board of the county or the eligible
910 municipality shall notify the corporation by certified mail of



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911 its adoption of an amendment of its local housing assistance
912 plan to incorporate local housing incentive strategies. The
913 notice must include a copy of the approved amended plan.

914 (a) If the corporation fails to receive timely the approved
915 amended local housing assistance plan to incorporate local
916 housing incentive strategies, a notice of termination of its
917 share of the local housing distribution shall be sent by
918 certified mail by the corporation to the affected county or
919 eligible municipality. The notice of termination must specify a
920 date of termination of the funding if the affected county or
921 eligible municipality has not adopted an amended local housing
922 assistance plan to incorporate local housing incentive
923 strategies. If the county or the eligible municipality has not
924 adopted an amended local housing assistance plan to incorporate
925 local housing incentive strategies by the termination date
926 specified in the notice of termination, the local distribution
927 share terminates; and any uncommitted local distribution funds
928 held by the affected county or eligible municipality in its
929 local housing assistance trust fund shall be transferred to the
930 Local Government Housing Trust Fund to the credit of the
931 corporation to administer the local government housing program
932 ~~pursuant to s. 420.9078.~~

933 Section 15. Section 420.9078, Florida Statutes, is
934 repealed.

935 Section 16. Section 420.9079, Florida Statutes, is amended
936 to read:

937 420.9079 Local Government Housing Trust Fund.—

938 (1) There is created in the State Treasury the Local
939 Government Housing Trust Fund, which shall be administered by



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940 the corporation on behalf of the department according to the
941 provisions of ss. 420.907-420.9076 ~~420.907-420.9078~~ and this
942 section. There shall be deposited into the fund a portion of the
943 documentary stamp tax revenues as provided in s. 201.15, moneys
944 received from any other source for the purposes of ss. 420.907-
945 420.9076 ~~420.907-420.9078~~ and this section, and all proceeds
946 derived from the investment of such moneys. Moneys in the fund
947 that are not currently needed for the purposes of the programs
948 administered pursuant to ss. 420.907-420.9076 ~~420.907-420.9078~~
949 and this section shall be deposited to the credit of the fund
950 and may be invested as provided by law. The interest received on
951 any such investment shall be credited to the fund.

952 (2) The corporation shall administer the fund exclusively
953 for the purpose of implementing the programs described in ss.
954 420.907-420.9076 ~~420.907-420.9078~~ and this section. With the
955 exception of monitoring the activities of counties and eligible
956 municipalities to determine local compliance with program
957 requirements, the corporation shall not receive appropriations
958 from the fund for administrative or personnel costs. For the
959 purpose of implementing the compliance monitoring provisions of
960 s. 420.9075(9), the corporation may request a maximum of one-
961 quarter of 1 percent of the annual appropriation per state
962 fiscal year. When such funding is appropriated, the corporation
963 shall deduct the amount appropriated prior to calculating the
964 local housing distribution pursuant to ss. 420.9072 and
965 420.9073.

966 Section 17. Subsection (12) of section 1001.43, Florida
967 Statutes, is amended to read:

968 1001.43 Supplemental powers and duties of district school



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969 board.—The district school board may exercise the following
970 supplemental powers and duties as authorized by this code or
971 State Board of Education rule.

972 (12) AFFORDABLE HOUSING.—A district school board may use
973 portions of school sites purchased within the guidelines of the
974 State Requirements for Educational Facilities, land deemed not
975 usable for educational purposes because of location or other
976 factors, or land declared as surplus by the board to provide
977 sites for affordable housing for teachers and other district
978 personnel and, in areas of critical state concern, for other
979 essential services personnel as defined by local affordable
980 housing eligibility requirements, independently or in
981 conjunction with other agencies as described in subsection (5).

982 Section 18. This act shall take effect July 1, 2009.

983
984 ===== T I T L E A M E N D M E N T =====

985 And the title is amended as follows:

986 Delete everything before the enacting clause
987 and insert:

988 A bill to be entitled
989 An act relating to affordable housing; amending s.
990 159.807, F.S.; providing limitations on the Florida
991 Housing Finance Corporation's access to the state
992 allocation pool; deleting a provision exempting the
993 corporation from the applicability of certain uses of
994 the state allocation pool and revising language
995 relating to such uses; creating s. 193.018, F.S.;
996 providing for the assessment of property receiving the
997 low-income housing tax credit; defining the term



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998 "community land trust"; providing for the assessment
999 of structural improvements, condominium parcels, and
1000 cooperative parcels on land owned by a community land
1001 trust and used to provide affordable housing;
1002 providing for the conveyance of structural
1003 improvements, condominium parcels, and cooperative
1004 parcels subject to certain conditions; specifying the
1005 criteria to be used in arriving at just valuation of a
1006 structural improvement, condominium parcel, or
1007 cooperative parcel; amending s. 196.196, F.S.;
1008 providing additional criteria for determining whether
1009 certain affordable housing property owned by certain
1010 exempt organizations is entitled to an exemption from
1011 ad valorem taxation; providing a definition;
1012 subjecting organizations owning certain property to ad
1013 valorem taxation under certain circumstances;
1014 providing for tax liens; providing for penalties and
1015 interest; providing an exception; providing notice
1016 requirements; amending s. 196.1978, F.S.; providing
1017 that property owned by certain nonprofit entities or
1018 Florida-based limited partnerships and used or held
1019 for the purpose of providing affordable housing to
1020 certain income-qualified persons is exempt from ad
1021 valorem taxation; revising legislative intent;
1022 amending s. 212.055, F.S.; redefining the term
1023 "infrastructure" to allow the proceeds of a local
1024 government infrastructure surtax to be used to
1025 purchase land for certain purposes relating to
1026 construction of affordable housing; amending s.



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1027 163.3202, F.S.; requiring that local land development
1028 regulations maintain the existing density of
1029 residential properties or recreational vehicle parks
1030 under certain circumstances; amending s. 420.503,
1031 F.S.; defining the term "moderate rehabilitation" for
1032 purposes of the Florida Housing Finance Corporation
1033 Act; amending s. 420.5087, F.S.; revising purposes for
1034 which state apartment incentive loans may be used;
1035 creating s. 420.628, F.S.; providing legislative
1036 findings and intent; requiring certain governmental
1037 entities to develop and implement strategies and
1038 procedures designed to increase affordable housing
1039 opportunities for young adults who are leaving the
1040 child welfare system; amending s. 420.9071, F.S.;
1041 revising and providing definitions; amending s.
1042 420.9072, F.S.; conforming a cross-reference;
1043 authorizing counties and eligible municipalities to
1044 use funds from the State Housing Initiatives
1045 Partnership Program to provide relocation grants for
1046 persons who are evicted from rental properties that
1047 are in foreclosure; providing eligibility requirements
1048 for receiving a grant; providing that authorization
1049 for the relocation grants expires July 1, 2010,
1050 amending s. 420.9073, F.S.; revising the frequency
1051 with which local housing distributions are to be made
1052 by the corporation; authorizing the corporation to
1053 withhold funds from the total distribution annually
1054 for specified purposes; requiring counties and
1055 eligible municipalities that receive local housing



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1056 distributions to expend those funds in a specified
1057 manner; amending s. 420.9075, F.S.; requiring that
1058 local housing assistance plans address the special
1059 housing needs of persons with disabilities;
1060 authorizing counties and certain municipalities to
1061 assist persons and households meeting specific income
1062 requirements; revising requirements to be included in
1063 the local housing assistance plan; requiring counties
1064 and certain municipalities to include certain
1065 initiatives and strategies in the local housing
1066 assistance plan; revising criteria that applies to
1067 awards made for the purpose of providing eligible
1068 housing; authorizing and limiting the percentage of
1069 funds from the local housing distribution that may be
1070 used for manufactured housing; extending the
1071 expiration date of an exemption from certain income
1072 requirements in specified areas; providing for
1073 retroactive application; authorizing the use of
1074 certain funds for preconstruction activities;
1075 providing that certain costs are a program expense;
1076 authorizing counties and certain municipalities to
1077 award grant funds under certain conditions; providing
1078 for the repayment of funds by the local housing
1079 assistance trust fund; amending s. 420.9076, F.S.;
1080 revising appointments to a local affordable housing
1081 advisory committee; revising notice requirements for
1082 public hearings of the advisory committee; requiring
1083 the committee's final report, evaluation, and
1084 recommendations to be submitted to the corporation;



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1085 deleting cross-references to conform to changes made
1086 by the act; repealing s. 420.9078, F.S., relating to
1087 state administration of funds remaining in the Local
1088 Government Housing Trust Fund; amending s. 420.9079,
1089 F.S.; conforming cross-references; amending s.
1090 1001.43, F.S.; revising district school board powers
1091 and duties in relation to use of land for affordable
1092 housing in certain areas for certain personnel;
1093 providing an effective date.