



478902

LEGISLATIVE ACTION

Senate

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House

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Floor: 7/AD/RM

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Senator Bennett moved the following:

1           **Senate Amendment to House Amendment (839199) (with title**  
2 **amendment)**

3  
4           Between lines 1201 and 1202  
5 insert:

6           Section 16. Subsection (4) of section 159.807, Florida  
7 Statutes, is amended to read:

8           159.807 State allocation pool.—

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



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

15 (b) Notwithstanding the provisions of paragraph (a), on or  
16 before November 15 of each year, the Florida Housing Finance  
17 Corporation's access to the state allocation pool is limited to  
18 the amount of the corporation's initial allocation under s.  
19 159.804. Thereafter, the corporation may not receive more than  
20 80 percent of the amount in the state allocation pool on  
21 November 16 of each year, and may not receive more than 80  
22 percent of any additional amounts that become available during  
23 each year. The limitations of this paragraph do not apply to the  
24 distribution of the unused allocation of the state volume  
25 limitation to the Florida Housing Finance Corporation under s.  
26 159.81(2)(b), (c), and (d). This subsection does not apply to  
27 the Florida Housing Finance Corporation:

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

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

39 Section 17. Section 193.018, Florida Statutes, is created  
40 to read:

41 193.018 Land owned by a community land trust used to



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42 provide affordable housing; assessment; structural improvements,  
43 condominium parcels, and cooperative parcels.-

44 (1) As used in this section, the term "community land  
45 trust" means a nonprofit entity that is qualified as charitable  
46 under s. 501(c)(3) of the Internal Revenue Code and has as one  
47 of its purposes the acquisition of land to be held in perpetuity  
48 for the primary purpose of providing affordable homeownership.

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

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

70 (a) The amount a willing purchaser would pay a willing



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71 seller for the land is limited to an amount commensurate with  
72 the terms of the ground lease that restricts the use of the land  
73 to the provision of affordable housing in perpetuity.

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

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

87 Section 18. Subsection (5) is added to section 196.196,  
88 Florida Statutes, to read:

89 196.196 Determining whether property is entitled to  
90 charitable, religious, scientific, or literary exemption.—

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



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100 preparation, construction or renovation activities, or other  
101 similar activities that demonstrate a commitment of the property  
102 to providing affordable housing.

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

121 2. Such lien, when filed, attaches to any property  
122 identified in the notice of tax lien owned by the organization  
123 that illegally or improperly received the exemption. If such  
124 organization no longer owns property in the county but owns  
125 property in any other county in the state, the property  
126 appraiser shall record in each such other county a notice of tax  
127 lien identifying the property owned by such organization in such  
128 county which shall become a lien against the identified



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129 property. Before any such lien may be filed, the organization so  
130 notified must be given 30 days to pay the taxes, penalties, and  
131 interest.

132 3. If an exemption is improperly granted as a result of a  
133 clerical mistake or an omission by the property appraiser, the  
134 organization improperly receiving the exemption shall not be  
135 assessed a penalty or interest.

136 4. The 5-year limitation specified in this subsection may  
137 be extended if the holder of the exemption continues to take  
138 affirmative steps to develop the property for the purposes  
139 specified in this subsection.

140 Section 19. Section 196.1978, Florida Statutes, is amended  
141 to read:

142 196.1978 Affordable housing property exemption.—Property  
143 used to provide affordable housing serving eligible persons as  
144 defined by s. 159.603(7) and natural persons or families meeting  
145 the extremely-low-income, very-low-income, low-income, or  
146 moderate-income persons meeting income limits specified in s.  
147 420.0004 s. 420.0004(8), (10), (11), and (15), which property is  
148 owned entirely by a nonprofit entity that is a corporation not  
149 for profit, qualified as charitable under s. 501(c)(3) of the  
150 Internal Revenue Code and in compliance with Rev. Proc. 96-32,  
151 1996-1 C.B. 717, or a Florida-based limited partnership, the  
152 sole general partner of which is a corporation not for profit  
153 which is qualified as charitable under s. 501(c)(3) of the  
154 Internal Revenue Code and which complies with Rev. Proc. 96-32,  
155 1996-1 C.B. 717, shall be considered property owned by an exempt  
156 entity and used for a charitable purpose, and those portions of  
157 the affordable housing property which provide housing to natural



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158 persons or families classified as extremely low income, very low  
159 income, low income, or moderate income under s. 420.0004  
160 ~~individuals with incomes as defined in s. 420.0004(10) and (15)~~  
161 shall be exempt from ad valorem taxation to the extent  
162 authorized in s. 196.196. All property identified in this  
163 section shall comply with the criteria for determination of  
164 exempt status to be applied by property appraisers on an annual  
165 basis as defined in s. 196.195. The Legislature intends that any  
166 property owned by a limited liability company or limited  
167 partnership which is disregarded as an entity for federal income  
168 tax purposes pursuant to Treasury Regulation 301.7701-  
169 3(b) (1) (ii) shall be treated as owned by its sole member or sole  
170 general partner.

171 Section 20. Paragraph (d) of subsection (2) of section  
172 212.055, Florida Statutes, is amended to read:

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

186 (2) LOCAL GOVERNMENT INFRASTRUCTURE SURTAX.—



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

215 1.2. For the purposes of this paragraph, the term





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216 "infrastructure" means:

217 a. Any fixed capital expenditure or fixed capital outlay  
218 associated with the construction, reconstruction, or improvement  
219 of public facilities that have a life expectancy of 5 or more  
220 years and any related land acquisition, land improvement,  
221 design, and engineering costs ~~related thereto~~.

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

227 c. Any expenditure for the construction, lease, or  
228 maintenance of, or provision of utilities or security for,  
229 facilities, as defined in s. 29.008.

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



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245 obligation will transfer to any subsequent owner until the end  
246 of the minimum period.

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

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

272 Section 21. Subsection (2) of section 163.3202, Florida  
273 Statutes, is amended to read:



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274 163.3202 Land development regulations.-

275 (2) Local land development regulations shall contain  
276 specific and detailed provisions necessary or desirable to  
277 implement the adopted comprehensive plan and shall as a minimum:

278 (a) Regulate the subdivision of land.~~†~~

279 (b) Regulate the use of land and water for those land use  
280 categories included in the land use element and ensure the  
281 compatibility of adjacent uses and provide for open space.~~†~~

282 (c) Provide for protection of potable water wellfields.~~†~~

283 (d) Regulate areas subject to seasonal and periodic  
284 flooding and provide for drainage and stormwater management.~~†~~

285 (e) Ensure the protection of environmentally sensitive  
286 lands designated in the comprehensive plan.~~†~~

287 (f) Regulate signage.~~†~~

288 (g) Provide that public facilities and services meet or  
289 exceed the standards established in the capital improvements  
290 element required by s. 163.3177 and are available when needed  
291 for the development, or that development orders and permits are  
292 conditioned on the availability of these public facilities and  
293 services necessary to serve the proposed development. Not later  
294 than 1 year after its due date established by the state land  
295 planning agency's rule for submission of local comprehensive  
296 plans pursuant to s. 163.3167(2), a local government shall not  
297 issue a development order or permit which results in a reduction  
298 in the level of services for the affected public facilities  
299 below the level of services provided in the comprehensive plan  
300 of the local government.

301 (h) Ensure safe and convenient onsite traffic flow,  
302 considering needed vehicle parking.



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303           (i) Maintain the existing density of residential properties  
304 or recreational vehicle parks if the properties are intended for  
305 residential use and are located in the unincorporated areas that  
306 have sufficient infrastructure, as determined by a local  
307 governing authority, and are not located within a coastal high-  
308 hazard area under s. 163.3178.

309           Section 22. Present subsections (25) through (41) of  
310 section 420.503, Florida Statutes, are redesignated as  
311 subsections (26) through (42), respectively, and a new  
312 subsection (25) is added to that section to read:

313           420.503 Definitions.—As used in this part, the term:

314           (25) "Moderate rehabilitation" means repair or restoration  
315 of a dwelling unit when the value of such repair or restoration  
316 is 40 percent or less of the value of the dwelling unit but not  
317 less than \$10,000.

318           Section 23. Subsection (47) is added to section 420.507,  
319 Florida Statutes, to read:

320           420.507 Powers of the corporation.—The corporation shall  
321 have all the powers necessary or convenient to carry out and  
322 effectuate the purposes and provisions of this part, including  
323 the following powers which are in addition to all other powers  
324 granted by other provisions of this part:

325           (47) To provide by rule in connection with any corporation  
326 competitive program, criteria establishing a preference for  
327 developers and general contractors domiciled in this state and  
328 for developers and general contractors, regardless of domicile,  
329 who have substantial experience in developing or building  
330 affordable housing through the corporation's programs.

331           (a) In evaluating whether a developer or general contractor



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332 is domiciled in this state, the corporation shall consider  
333 whether the developer's or general contractor's principal office  
334 is located in this state and whether a majority of the  
335 developer's or general contractor's principals and financial  
336 beneficiaries reside in Florida.

337 (b) In evaluating whether a developer or general contractor  
338 has substantial experience, the corporation shall consider  
339 whether the developer or general contractor has completed at  
340 least five developments using funds either provided by or  
341 administered by the corporation.

342 Section 24. Paragraphs (c) and (1) of subsection (6) of  
343 section 420.5087, Florida Statutes, are amended to read:

344 420.5087 State Apartment Incentive Loan Program.—There is  
345 hereby created the State Apartment Incentive Loan Program for  
346 the purpose of providing first, second, or other subordinated  
347 mortgage loans or loan guarantees to sponsors, including for-  
348 profit, nonprofit, and public entities, to provide housing  
349 affordable to very-low-income persons.

350 (6) On all state apartment incentive loans, except loans  
351 made to housing communities for the elderly to provide for  
352 lifesafety, building preservation, health, sanitation, or  
353 security-related repairs or improvements, the following  
354 provisions shall apply:

355 (c) The corporation shall provide by rule for the  
356 establishment of a review committee composed of the department  
357 and corporation staff and shall establish by rule a scoring  
358 system for evaluation and competitive ranking of applications  
359 submitted in this program, including, but not limited to, the  
360 following criteria:



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- 361           1. Tenant income and demographic targeting objectives of  
362 the corporation.
- 363           2. Targeting objectives of the corporation which will  
364 ensure an equitable distribution of loans between rural and  
365 urban areas.
- 366           3. Sponsor's agreement to reserve the units for persons or  
367 families who have incomes below 50 percent of the state or local  
368 median income, whichever is higher, for a time period to exceed  
369 the minimum required by federal law or the provisions of this  
370 part.
- 371           4. Sponsor's agreement to reserve more than:
- 372           a. Twenty percent of the units in the project for persons  
373 or families who have incomes that do not exceed 50 percent of  
374 the state or local median income, whichever is higher; or
- 375           b. Forty percent of the units in the project for persons or  
376 families who have incomes that do not exceed 60 percent of the  
377 state or local median income, whichever is higher, without  
378 requiring a greater amount of the loans as provided in this  
379 section.
- 380           5. Provision for tenant counseling.
- 381           6. Sponsor's agreement to accept rental assistance  
382 certificates or vouchers as payment for rent.
- 383           7. Projects requiring the least amount of a state apartment  
384 incentive loan compared to overall project cost except that the  
385 share of the loan attributable to units serving extremely-low-  
386 income persons shall be excluded from this requirement.
- 387           8. Local government contributions and local government  
388 comprehensive planning and activities that promote affordable  
389 housing.



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- 390 9. Project feasibility.
- 391 10. Economic viability of the project.
- 392 11. Commitment of first mortgage financing.
- 393 12. Sponsor's prior experience, including whether the
- 394 developer and general contractor have substantial experience, as
- 395 provided in s. 420.507(47).
- 396 13. Sponsor's ability to proceed with construction.
- 397 14. Projects that directly implement or assist welfare-to-
- 398 work transitioning.
- 399 15. Projects that reserve units for extremely-low-income
- 400 persons.
- 401 16. Projects that include green building principles, storm-
- 402 resistant construction, or other elements that reduce long-term
- 403 costs relating to maintenance, utilities, or insurance.
- 404 17. Domicile of the developer and general contractor, as
- 405 provided in s. 420.507(47).
- 406 (1) The proceeds of all loans shall be used for new
- 407 construction, moderate rehabilitation, or substantial
- 408 rehabilitation which creates or preserves affordable, safe, and
- 409 sanitary housing units.
- 410 Section 25. Subsection (5) of section 420.622, Florida
- 411 Statutes, is amended to read:
- 412 420.622 State Office on Homelessness; Council on
- 413 Homelessness.—
- 414 (5) The State Office on Homelessness, with the concurrence
- 415 of the Council on Homelessness, may administer moneys
- 416 appropriated to it to provide homeless housing assistance grants
- 417 annually to lead agencies for local homeless assistance
- 418 continuum of care, as recognized by the State Office on



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419 Homelessness, to acquire, construct, or rehabilitate  
420 transitional or permanent housing units for homeless persons.  
421 These moneys shall consist of any sums that the state may  
422 appropriate, as well as money received from donations, gifts,  
423 bequests, or otherwise from any public or private source, which  
424 ~~are money is~~ intended to acquire, construct, or rehabilitate  
425 transitional or permanent housing units for homeless persons.

426 (a) Grant applicants shall be ranked competitively.  
427 Preference must be given to applicants who leverage additional  
428 private funds and public funds, particularly federal funds  
429 designated for the acquisition, construction, ~~or and~~  
430 rehabilitation of transitional or permanent housing for homeless  
431 persons; ~~and~~ who acquire, build, or rehabilitate the greatest  
432 number of units; ~~and~~ who acquire, build, or rehabilitate in  
433 catchment areas having the greatest need for housing for the  
434 homeless relative to the population of the catchment area.

435 (b) Funding for any particular project may not exceed  
436 \$750,000.

437 (c) Projects must reserve, for a minimum of 10 years, the  
438 number of units acquired, constructed, or rehabilitated through  
439 homeless housing assistance grant funding to serve persons who  
440 are homeless at the time they assume tenancy.

441 (d) No more than two grants may be awarded annually in any  
442 given local homeless assistance continuum of care catchment  
443 area.

444 (e) A project may not be funded which is not included in  
445 the local homeless assistance continuum of care plan, as  
446 recognized by the State Office on Homelessness, for the  
447 catchment area in which the project is located.





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448 (f) The maximum percentage of funds that the State Office  
449 on Homelessness and each applicant may spend on administrative  
450 costs is 5 percent.

451 Section 26. Section 420.628, Florida Statutes, is created  
452 to read:

453 420.628 Affordable housing for children and young adults  
454 leaving foster care; legislative findings and intent.-

455 (1) (a) The Legislature finds that there are many young  
456 adults who, through no fault of their own, live in foster  
457 families, group homes, and institutions, and face numerous  
458 barriers to a successful transition to adulthood. Young adults  
459 who are leaving the child welfare system may enter adulthood  
460 lacking the knowledge, skills, attitudes, habits, and  
461 relationships that will enable them to become productive members  
462 of society.

463 (b) The Legislature further finds that the main barriers to  
464 safe and affordable housing for such young adults are cost, lack  
465 of availability, the unwillingness of landlords to rent to such  
466 youth due to perceived regulatory barriers, and a lack of  
467 knowledge about how to be a good tenant. These barriers cause  
468 young adults to be at risk of becoming homeless.

469 (c) The Legislature also finds that young adults who leave  
470 the child welfare system are disproportionately represented in  
471 the homeless population. Without the stability of safe and  
472 affordable housing, all other services, training, and  
473 opportunities provided to such young adults may not be  
474 effective. Making affordable housing available will decrease the  
475 chance of homelessness and may increase the ability of such  
476 young adults to live independently.



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477           (d) The Legislature intends that the Florida Housing  
478 Finance Corporation, agencies within the State Housing  
479 Initiative Partnership Program, local housing finance agencies,  
480 public housing authorities, and their agents, and other  
481 providers of affordable housing coordinate with the Department  
482 of Children and Family Services, their agents, and community-  
483 based care providers who provide services under s. 409.1671 to  
484 develop and implement strategies and procedures designed to make  
485 affordable housing available whenever and wherever possible to  
486 young adults who leave the child welfare system.

487           (2) Young adults who leave the child welfare system meet  
488 the definition of eligible persons under ss. 420.503(7) and  
489 420.907(10) for affordable housing, and are encouraged to  
490 participate in federal, state, and local affordable housing  
491 programs. Students deemed to be eligible occupants under 26  
492 U.S.C. 42(i)(3)(d) shall be considered eligible persons for  
493 purposes of all projects funded under this chapter.

494           Section 27. Subsections (4), (8), (16), and (25) of section  
495 420.9071, Florida Statutes, are amended, and subsections (29)  
496 and (30) are added to that section, to read:

497           420.9071 Definitions.—As used in ss. 420.907-420.9079, the  
498 term:

499           (4) "Annual gross income" means annual income as defined  
500 under the Section 8 housing assistance payments programs in 24  
501 C.F.R. part 5; annual income as reported under the census long  
502 form for the recent available decennial census; or adjusted  
503 gross income as defined for purposes of reporting under Internal  
504 Revenue Service Form 1040 for individual federal annual income  
505 tax purposes or as defined by standard practices used in the



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506 lending industry as detailed in the local housing assistance  
507 plan and approved by the corporation. Counties and eligible  
508 municipalities shall calculate income by annualizing verified  
509 sources of income for the household as the amount of income to  
510 be received in a household during the 12 months following the  
511 effective date of the determination.

512 (8) "Eligible housing" means any real and personal property  
513 located within the county or the eligible municipality which is  
514 designed and intended for the primary purpose of providing  
515 decent, safe, and sanitary residential units that are designed  
516 to meet the standards of the Florida Building Code or previous  
517 building codes adopted under chapter 553, or manufactured  
518 housing constructed after June 1994 and installed in accordance  
519 with the installation standards for mobile or manufactured homes  
520 contained in rules of the Department of Highway Safety and Motor  
521 Vehicles, for home ownership or rental for eligible persons as  
522 designated by each county or eligible municipality participating  
523 in the State Housing Initiatives Partnership Program.

524 (16) "Local housing incentive strategies" means local  
525 regulatory reform or incentive programs to encourage or  
526 facilitate affordable housing production, which include at a  
527 minimum, assurance that permits as defined in s. 163.3164(7) and  
528 (8) for affordable housing projects are expedited to a greater  
529 degree than other projects; an ongoing process for review of  
530 local policies, ordinances, regulations, and plan provisions  
531 that increase the cost of housing prior to their adoption; and a  
532 schedule for implementing the incentive strategies. Local  
533 housing incentive strategies may also include other regulatory  
534 reforms, such as those enumerated in s. 420.9076 or those



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535 recommended by the affordable housing advisory committee in its  
536 triennial evaluation of the implementation of affordable housing  
537 incentives, and adopted by the local governing body.

538 (25) "Recaptured funds" means funds that are recouped by a  
539 county or eligible municipality in accordance with the recapture  
540 provisions of its local housing assistance plan pursuant to s.  
541 420.9075(5) (h) ~~(g)~~ from eligible persons or eligible sponsors,  
542 which funds were not used for assistance to an eligible  
543 household for an eligible activity, when there is a ~~who~~ default  
544 on the terms of a grant award or loan award.

545 (29) "Assisted housing" or "assisted housing development"  
546 means a rental housing development, including rental housing in  
547 a mixed-use development, that received or currently receives  
548 funding from any federal or state housing program.

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

554 Section 28. Subsections (6) and (7) of section 420.9072,  
555 Florida Statutes, are amended to read:

556 420.9072 State Housing Initiatives Partnership Program.—The  
557 State Housing Initiatives Partnership Program is created for the  
558 purpose of providing funds to counties and eligible  
559 municipalities as an incentive for the creation of local housing  
560 partnerships, to expand production of and preserve affordable  
561 housing, to further the housing element of the local government  
562 comprehensive plan specific to affordable housing, and to  
563 increase housing-related employment.



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564 (6) The moneys that otherwise would be distributed pursuant  
565 to s. 420.9073 to a local government that does not meet the  
566 program's requirements for receipts of such distributions shall  
567 remain in the Local Government Housing Trust Fund to be  
568 administered by the corporation ~~pursuant to s. 420.9078.~~

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

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

576 (b) A county or an eligible municipality may expend a  
577 portion of the local housing distribution to provide a one-time  
578 relocation grant to persons who meet the income requirements of  
579 the State Housing Initiatives Partnership Program and who are  
580 subject to eviction from rental property located in the county  
581 or eligible municipality due to the foreclosure of the rental  
582 property. In order to receive a grant under this paragraph, a  
583 person must provide the county or eligible municipality with  
584 proof of meeting the income requirements of a very-low-income  
585 household, a low-income household, or a moderate-income  
586 household; a notice of eviction; and proof that the rent has  
587 been paid for at least 3 months before the date of eviction,  
588 including the month that the notice of eviction was served.  
589 Relocation assistance under this paragraph is limited to a one-  
590 time grant of not more than \$5,000 and is not limited to persons  
591 who are subject to eviction from projects funded under the State  
592 Housing Initiatives Partnership Program. This paragraph expires



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593 July 1, 2010.

594 Section 29. Subsections (1) and (2) of section 420.9073,  
595 Florida Statutes, are amended, and subsections (5), (6), and (7)  
596 are added to that section, to read:

597 420.9073 Local housing distributions.-

598 (1) Distributions calculated in this section shall be  
599 disbursed on a quarterly or more frequent ~~monthly~~ basis by the  
600 corporation ~~beginning the first day of the month after program~~  
601 ~~approval~~ pursuant to s. 420.9072, subject to availability of  
602 funds. Each county's share of the funds to be distributed from  
603 the portion of the funds in the Local Government Housing Trust  
604 Fund received pursuant to s. 201.15(9) shall be calculated by  
605 the corporation for each fiscal year as follows:

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

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

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

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



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622           3. For each county in which the result in subparagraph 1.  
623 is greater than the guaranteed amount as determined in  
624 subsection (3), the amount calculated in subparagraph 1. shall  
625 be reduced by the guaranteed amount. The result for each such  
626 county shall be expressed as a percentage of the amounts so  
627 determined for all counties. Each such county shall receive an  
628 additional share equal to such percentage multiplied by the  
629 total funds received by the Local Government Housing Trust Fund  
630 pursuant to s. 201.15(9) reduced by the guaranteed amount paid  
631 to all counties.

632           (2) ~~Effective July 1, 1995,~~ Distributions calculated in  
633 this section shall be disbursed on a quarterly or more frequent  
634 ~~monthly~~ basis by the corporation ~~beginning the first day of the~~  
635 ~~month after program approval~~ pursuant to s. 420.9072, subject to  
636 availability of funds. Each county's share of the funds to be  
637 distributed from the portion of the funds in the Local  
638 Government Housing Trust Fund received pursuant to s. 201.15(10)  
639 shall be calculated by the corporation for each fiscal year as  
640 follows:

641           (a) Each county shall receive the guaranteed amount for  
642 each fiscal year.

643           (b) Each county may receive an additional share calculated  
644 as follows:

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

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

650           3. For each county in which the result in subparagraph 1.



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651 is greater than the guaranteed amount, the amount calculated in  
652 subparagraph 1. shall be reduced by the guaranteed amount. The  
653 result for each such county shall be expressed as a percentage  
654 of the amounts so determined for all counties. Each such county  
655 shall receive an additional share equal to this percentage  
656 multiplied by the total funds received by the Local Government  
657 Housing Trust Fund pursuant to s. 201.15(10) as reduced by the  
658 guaranteed amount paid to all counties.

659 (5) Notwithstanding subsections (1)-(4), the corporation  
660 may withhold up to \$5 million of the total amount distributed  
661 each fiscal year from the Local Government Housing Trust Fund to  
662 provide additional funding to counties and eligible  
663 municipalities where a state of emergency has been declared by  
664 the Governor pursuant to chapter 252. Any portion of the  
665 withheld funds not distributed by the end of the fiscal year  
666 shall be distributed as provided in subsections (1) and (2).

667 (6) Notwithstanding subsections (1)-(4), the corporation  
668 may withhold up to \$5 million from the total amount distributed  
669 each fiscal year from the Local Government Housing Trust Fund to  
670 provide funding to counties and eligible municipalities to  
671 purchase properties subject to a State Housing Initiative  
672 Partnership Program lien and on which foreclosure proceedings  
673 have been initiated by any mortgagee. Each county and eligible  
674 municipality that receives funds under this subsection shall  
675 repay such funds to the corporation not later than the  
676 expenditure deadline for the fiscal year in which the funds were  
677 awarded. Amounts not repaid shall be withheld from the  
678 subsequent year's distribution. Any portion of such funds not  
679 distributed under this subsection by the end of the fiscal year





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680 shall be distributed as provided in subsections (1) and (2).

681 (7) A county receiving local housing distributions under  
682 this section or an eligible municipality that receives local  
683 housing distributions under an interlocal agreement shall expend  
684 those funds in accordance with the provisions of ss. 420.907-  
685 420.9079, rules of the corporation, and the county's local  
686 housing assistance plan.

687 Section 30. Subsections (1), (3), (5), and (8), paragraphs  
688 (a) and (h) of subsection (10), and paragraph (b) of subsection  
689 (13) of section 420.9075, Florida Statutes, are amended, and  
690 subsection (14) is added to that section, to read:

691 420.9075 Local housing assistance plans; partnerships.—

692 (1) (a) Each county or eligible municipality participating  
693 in the State Housing Initiatives Partnership Program shall  
694 develop and implement a local housing assistance plan created to  
695 make affordable residential units available to persons of very  
696 low income, low income, or moderate income and to persons who  
697 have special housing needs, including, but not limited to,  
698 homeless people, the elderly, ~~and~~ migrant farmworkers, and  
699 persons with disabilities. Counties or eligible municipalities  
700 may include strategies to assist persons and households having  
701 annual incomes of not more than 140 percent of area median  
702 income. The plans are intended to increase the availability of  
703 affordable residential units by combining local resources and  
704 cost-saving measures into a local housing partnership and using  
705 private and public funds to reduce the cost of housing.

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

707 1. Implement local housing assistance strategies for the  
708 provision of affordable housing.



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709           2. Supplement funds available to the corporation to provide  
710 enhanced funding of state housing programs within the county or  
711 the eligible municipality.

712           3. Provide the local matching share of federal affordable  
713 housing grants or programs.

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

717           5. Further the housing element of the local government  
718 comprehensive plan adopted pursuant to s. 163.3184, specific to  
719 affordable housing.

720           (3) (a) Each local housing assistance plan shall include a  
721 definition of essential service personnel for the county or  
722 eligible municipality, including, but not limited to, teachers  
723 and educators, other school district, community college, and  
724 university employees, police and fire personnel, health care  
725 personnel, skilled building trades personnel, and other job  
726 categories.

727           (b) Each county and each eligible municipality is  
728 encouraged to develop a strategy within its local housing  
729 assistance plan that emphasizes the recruitment and retention of  
730 essential service personnel. The local government is encouraged  
731 to involve public and private sector employers. Compliance with  
732 the eligibility criteria established under this strategy shall  
733 be verified by the county or eligible municipality.

734           (c) Each county and each eligible municipality is  
735 encouraged to develop a strategy within its local housing  
736 assistance plan that addresses the needs of persons who are  
737 deprived of affordable housing due to the closure of a mobile



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738 home park or the conversion of affordable rental units to  
739 condominiums.

740 (d) Each county and each eligible municipality shall  
741 describe initiatives in the local housing assistance plan to  
742 encourage or require innovative design, green building  
743 principles, storm-resistant construction, or other elements that  
744 reduce long-term costs relating to maintenance, utilities, or  
745 insurance.

746 (e) Each county and each eligible municipality is  
747 encouraged to develop a strategy within its local housing  
748 assistance plan which provides program funds for the  
749 preservation of assisted housing.

750 (5) The following criteria apply to awards made to eligible  
751 sponsors or eligible persons for the purpose of providing  
752 eligible housing:

753 (a) At least 65 percent of the funds made available in each  
754 county and eligible municipality from the local housing  
755 distribution must be reserved for home ownership for eligible  
756 persons.

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

761 (c) Not more than 20 percent of the funds made available in  
762 each county and eligible municipality from the local housing  
763 distribution may be used for manufactured housing.

764 (d)~~(e)~~ The sales price or value of new or existing eligible  
765 housing may not exceed 90 percent of the average area purchase  
766 price in the statistical area in which the eligible housing is



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767 located. Such average area purchase price may be that calculated  
768 for any 12-month period beginning not earlier than the fourth  
769 calendar year prior to the year in which the award occurs or as  
770 otherwise established by the United States Department of the  
771 Treasury.

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

777 2. At least 30 percent of the funds deposited into the  
778 local housing assistance trust fund must be reserved for awards  
779 to very-low-income persons or eligible sponsors who will serve  
780 very-low-income persons and at least an additional 30 percent of  
781 the funds deposited into the local housing assistance trust fund  
782 must be reserved for awards to low-income persons or eligible  
783 sponsors who will serve low-income persons. This subparagraph  
784 does not apply to a county or an eligible municipality that  
785 includes, or has included within the previous 5 years, an area  
786 of critical state concern designated or ratified by the  
787 Legislature for which the Legislature has declared its intent to  
788 provide affordable housing. The exemption created by this act  
789 expires on July 1, 2013, and shall apply retroactively 2008.

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

793 (g)~~(f)~~ Loans or grants for eligible rental housing  
794 constructed, rehabilitated, or otherwise assisted from the local  
795 housing assistance trust fund must be subject to recapture



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796 requirements as provided by the county or eligible municipality  
797 in its local housing assistance plan unless reserved for  
798 eligible persons for 15 years or the term of the assistance,  
799 whichever period is longer. Eligible sponsors that offer rental  
800 housing for sale before 15 years or that have remaining  
801 mortgages funded under this program must give a first right of  
802 refusal to eligible nonprofit organizations for purchase at the  
803 current market value for continued occupancy by eligible  
804 persons.

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

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

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

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

822 (l)~~(k)~~ Funds from the local housing distribution not used  
823 to meet the criteria established in paragraph (a) or paragraph  
824 (b) or not used for the administration of a local housing



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825 assistance plan must be used for housing production and finance  
826 activities, including, but not limited to, financing  
827 preconstruction activities or the purchase of existing units,  
828 providing rental housing, and providing home ownership training  
829 to prospective home buyers and owners of homes assisted through  
830 the local housing assistance plan.

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

834 2. When preconstruction due-diligence activities conducted  
835 as part of a preservation strategy show that preservation of the  
836 units is not feasible and will not result in the production of  
837 an eligible unit, such costs shall be deemed a program expense  
838 rather than an administrative expense if such program expenses  
839 do not exceed 3 percent of the annual local housing  
840 distribution.

841 3. If both an award under the local housing assistance plan  
842 and federal low-income housing tax credits are used to assist a  
843 project and there is a conflict between the criteria prescribed  
844 in this subsection and the requirements of s. 42 of the Internal  
845 Revenue Code of 1986, as amended, the county or eligible  
846 municipality may resolve the conflict by giving precedence to  
847 the requirements of s. 42 of the Internal Revenue Code of 1986,  
848 as amended, in lieu of following the criteria prescribed in this  
849 subsection with the exception of paragraphs (a) and (e) ~~(d)~~ of  
850 this subsection.

851 4. Each county and each eligible municipality may award  
852 funds as a grant for construction, rehabilitation, or repair as  
853 part of disaster recovery or emergency repairs or to remedy



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854 accessibility or health and safety deficiencies. Any other  
855 grants must be approved as part of the local housing assistance  
856 plan.

857 (8) Pursuant to s. 420.531, the corporation shall provide  
858 training and technical assistance to local governments regarding  
859 the creation of partnerships, the design of local housing  
860 assistance strategies, the implementation of local housing  
861 incentive strategies, and the provision of support services.

862 (10) Each county or eligible municipality shall submit to  
863 the corporation by September 15 of each year a report of its  
864 affordable housing programs and accomplishments through June 30  
865 immediately preceding submittal of the report. The report shall  
866 be certified as accurate and complete by the local government's  
867 chief elected official or his or her designee. Transmittal of  
868 the annual report by a county's or eligible municipality's chief  
869 elected official, or his or her designee, certifies that the  
870 local housing incentive strategies, or, if applicable, the local  
871 housing incentive plan, have been implemented or are in the  
872 process of being implemented pursuant to the adopted schedule  
873 for implementation. The report must include, but is not limited  
874 to:

875 (a) The number of households served by income category,  
876 age, family size, and race, and data regarding any special needs  
877 populations such as farmworkers, homeless persons, persons with  
878 disabilities, and the elderly. Counties shall report this  
879 information separately for households served in the  
880 unincorporated area and each municipality within the county.

881 (h) Such other data or affordable housing accomplishments  
882 considered significant by the reporting county or eligible



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883 municipality or by the corporation.

884 (13)

885 (b) If, as a result of its review of the annual report, the  
886 corporation determines that a county or eligible municipality  
887 has failed to implement a local housing incentive strategy, or,  
888 if applicable, a local housing incentive plan, it shall send a  
889 notice of termination of the local government's share of the  
890 local housing distribution by certified mail to the affected  
891 county or eligible municipality.

892 1. The notice must specify a date of termination of the  
893 funding if the affected county or eligible municipality does not  
894 implement the plan or strategy and provide for a local response.  
895 A county or eligible municipality shall respond to the  
896 corporation within 30 days after receipt of the notice of  
897 termination.

898 2. The corporation shall consider the local response that  
899 extenuating circumstances precluded implementation and grant an  
900 extension to the timeframe for implementation. Such an extension  
901 shall be made in the form of an extension agreement that  
902 provides a timeframe for implementation. The chief elected  
903 official of a county or eligible municipality or his or her  
904 designee shall have the authority to enter into the agreement on  
905 behalf of the local government.

906 3. If the county or the eligible municipality has not  
907 implemented the incentive strategy or entered into an extension  
908 agreement by the termination date specified in the notice, the  
909 local housing distribution share terminates, and any uncommitted  
910 local housing distribution funds held by the affected county or  
911 eligible municipality in its local housing assistance trust fund





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912 shall be transferred to the Local Government Housing Trust Fund  
913 to the credit of the corporation to administer ~~pursuant to s.~~  
914 ~~420.9078.~~

915 4.a. If the affected local government fails to meet the  
916 timeframes specified in the agreement, the corporation shall  
917 terminate funds. The corporation shall send a notice of  
918 termination of the local government's share of the local housing  
919 distribution by certified mail to the affected local government.  
920 The notice shall specify the termination date, and any  
921 uncommitted funds held by the affected local government shall be  
922 transferred to the Local Government Housing Trust Fund to the  
923 credit of the corporation to administer ~~pursuant to s. 420.9078.~~

924 b. If the corporation terminates funds to a county, but an  
925 eligible municipality receiving a local housing distribution  
926 pursuant to an interlocal agreement maintains compliance with  
927 program requirements, the corporation shall thereafter  
928 distribute directly to the participating eligible municipality  
929 its share calculated in the manner provided in s. 420.9072.

930 c. Any county or eligible municipality whose local  
931 distribution share has been terminated may subsequently elect to  
932 receive directly its local distribution share by adopting the  
933 ordinance, resolution, and local housing assistance plan in the  
934 manner and according to the procedures provided in ss. 420.907-  
935 420.9079.

936 (14) If the corporation determines that a county or  
937 eligible municipality has expended program funds for an  
938 ineligible activity, the corporation shall require such funds to  
939 be repaid to the local housing assistance trust fund. Such  
940 repayment may not be made with funds from the State Housing



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941 Initiatives Partnership Program.

942 Section 31. Paragraph (h) of subsection (2), subsections  
943 (5) and (6), and paragraph (a) of subsection (7) of section  
944 420.9076, Florida Statutes, are amended to read:

945 420.9076 Adoption of affordable housing incentive  
946 strategies; committees.—

947 (2) The governing board of a county or municipality shall  
948 appoint the members of the affordable housing advisory committee  
949 by resolution. Pursuant to the terms of any interlocal  
950 agreement, a county and municipality may create and jointly  
951 appoint an advisory committee to prepare a joint plan. The  
952 ordinance adopted pursuant to s. 420.9072 which creates the  
953 advisory committee or the resolution appointing the advisory  
954 committee members must provide for 11 committee members and  
955 their terms. The committee must include:

956 (h) One citizen who actively serves on the local planning  
957 agency pursuant to s. 163.3174. If the local planning agency is  
958 comprised of the governing board of the county or municipality,  
959 the governing board may appoint a designee who is knowledgeable  
960 in the local planning process.

961  
962 If a county or eligible municipality whether due to its small  
963 size, the presence of a conflict of interest by prospective  
964 appointees, or other reasonable factor, is unable to appoint a  
965 citizen actively engaged in these activities in connection with  
966 affordable housing, a citizen engaged in the activity without  
967 regard to affordable housing may be appointed. Local governments  
968 that receive the minimum allocation under the State Housing  
969 Initiatives Partnership Program may elect to appoint an



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970 affordable housing advisory committee with fewer than 11  
971 representatives if they are unable to find representatives who  
972 meet the criteria of paragraphs (a)-(k).

973 (5) The approval by the advisory committee of its local  
974 housing incentive strategies recommendations and its review of  
975 local government implementation of previously recommended  
976 strategies must be made by affirmative vote of a majority of the  
977 membership of the advisory committee taken at a public hearing.  
978 Notice of the time, date, and place of the public hearing of the  
979 advisory committee to adopt its evaluation and final local  
980 housing incentive strategies recommendations must be published  
981 in a newspaper of general paid circulation in the county. The  
982 notice must contain a short and concise summary of the  
983 evaluation and local housing incentives strategies  
984 recommendations to be considered by the advisory committee. The  
985 notice must state the public place where a copy of the  
986 evaluation and tentative advisory committee recommendations can  
987 be obtained by interested persons. The final report, evaluation,  
988 and recommendations shall be submitted to the corporation.

989 (6) Within 90 days after the date of receipt of the  
990 evaluation and local housing incentive strategies  
991 recommendations from the advisory committee, the governing body  
992 of the appointing local government shall adopt an amendment to  
993 its local housing assistance plan to incorporate the local  
994 housing incentive strategies it will implement within its  
995 jurisdiction. The amendment must include, at a minimum, the  
996 local housing incentive strategies required under s.  
997 420.9071(16). The local government must consider the strategies  
998 specified in paragraphs (4) (a)-(k) as recommended by the



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999 advisory committee.

1000 (7) The governing board of the county or the eligible  
1001 municipality shall notify the corporation by certified mail of  
1002 its adoption of an amendment of its local housing assistance  
1003 plan to incorporate local housing incentive strategies. The  
1004 notice must include a copy of the approved amended plan.

1005 (a) If the corporation fails to receive timely the approved  
1006 amended local housing assistance plan to incorporate local  
1007 housing incentive strategies, a notice of termination of its  
1008 share of the local housing distribution shall be sent by  
1009 certified mail by the corporation to the affected county or  
1010 eligible municipality. The notice of termination must specify a  
1011 date of termination of the funding if the affected county or  
1012 eligible municipality has not adopted an amended local housing  
1013 assistance plan to incorporate local housing incentive  
1014 strategies. If the county or the eligible municipality has not  
1015 adopted an amended local housing assistance plan to incorporate  
1016 local housing incentive strategies by the termination date  
1017 specified in the notice of termination, the local distribution  
1018 share terminates; and any uncommitted local distribution funds  
1019 held by the affected county or eligible municipality in its  
1020 local housing assistance trust fund shall be transferred to the  
1021 Local Government Housing Trust Fund to the credit of the  
1022 corporation to administer the local government housing program  
1023 ~~pursuant to s. 420.9078.~~

1024 Section 32. Section 420.9078, Florida Statutes, is  
1025 repealed.

1026 Section 33. Section 420.9079, Florida Statutes, is amended  
1027 to read:



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1028           420.9079 Local Government Housing Trust Fund.—  
1029           (1) There is created in the State Treasury the Local  
1030 Government Housing Trust Fund, which shall be administered by  
1031 the corporation on behalf of the department according to the  
1032 provisions of ss. 420.907-420.9076 ~~420.907-420.9078~~ and this  
1033 section. There shall be deposited into the fund a portion of the  
1034 documentary stamp tax revenues as provided in s. 201.15, moneys  
1035 received from any other source for the purposes of ss. 420.907-  
1036 420.9076 ~~420.907-420.9078~~ and this section, and all proceeds  
1037 derived from the investment of such moneys. Moneys in the fund  
1038 that are not currently needed for the purposes of the programs  
1039 administered pursuant to ss. 420.907-420.9076 ~~420.907-420.9078~~  
1040 and this section shall be deposited to the credit of the fund  
1041 and may be invested as provided by law. The interest received on  
1042 any such investment shall be credited to the fund.  
1043           (2) The corporation shall administer the fund exclusively  
1044 for the purpose of implementing the programs described in ss.  
1045 420.907-420.9076 ~~420.907-420.9078~~ and this section. With the  
1046 exception of monitoring the activities of counties and eligible  
1047 municipalities to determine local compliance with program  
1048 requirements, the corporation shall not receive appropriations  
1049 from the fund for administrative or personnel costs. For the  
1050 purpose of implementing the compliance monitoring provisions of  
1051 s. 420.9075(9), the corporation may request a maximum of one-  
1052 quarter of 1 percent of the annual appropriation per state  
1053 fiscal year. When such funding is appropriated, the corporation  
1054 shall deduct the amount appropriated prior to calculating the  
1055 local housing distribution pursuant to ss. 420.9072 and  
1056 420.9073.



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1057 Section 34. Subsection (12) of section 1001.43, Florida  
1058 Statutes, is amended to read:

1059 1001.43 Supplemental powers and duties of district school  
1060 board.—The district school board may exercise the following  
1061 supplemental powers and duties as authorized by this code or  
1062 State Board of Education rule.

1063 (12) AFFORDABLE HOUSING.—A district school board may use  
1064 portions of school sites purchased within the guidelines of the  
1065 State Requirements for Educational Facilities, land deemed not  
1066 usable for educational purposes because of location or other  
1067 factors, or land declared as surplus by the board to provide  
1068 sites for affordable housing for teachers and other district  
1069 personnel and, in areas of critical state concern, for other  
1070 essential services personnel as defined by local affordable  
1071 housing eligibility requirements, independently or in  
1072 conjunction with other agencies as described in subsection (5).

1073  
1074 ===== T I T L E A M E N D M E N T =====

1075 And the title is amended as follows:

1076 Delete lines 1298 -1299

1077 and insert:

1078 use the extension; amending s. 159.807, F.S.; providing  
1079 limitations on the Florida Housing Finance Corporation's access  
1080 to the state allocation pool; deleting a provision exempting the  
1081 corporation from the applicability of certain uses of the state  
1082 allocation pool; creating s. 193.018, F.S.; providing for the  
1083 assessment of property receiving the low-income housing tax  
1084 credit; defining the term "community land trust"; providing for  
1085 the assessment of structural improvements, condominium parcels,



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1086 and cooperative parcels on land owned by a community land trust  
1087 and used to provide affordable housing; providing for the  
1088 conveyance of structural improvements, condominium parcels, and  
1089 cooperative parcels subject to certain conditions; specifying  
1090 the criteria to be used in arriving at just valuation of a  
1091 structural improvement, condominium parcel, or cooperative  
1092 parcel; amending s. 196.196, F.S.; providing additional criteria  
1093 for determining whether certain affordable housing property  
1094 owned by certain exempt organizations is entitled to an  
1095 exemption from ad valorem taxation; providing a definition;  
1096 subjecting organizations owning certain property to ad valorem  
1097 taxation under certain circumstances; providing for tax liens;  
1098 providing for penalties and interest; providing an exception;  
1099 providing notice requirements; amending s. 196.1978, F.S.;  
1100 providing that property owned by certain nonprofit entities or  
1101 Florida-based limited partnerships and used or held for the  
1102 purpose of providing affordable housing to certain income-  
1103 qualified persons is exempt from ad valorem taxation; revising  
1104 legislative intent; amending s. 212.055, F.S.; redefining the  
1105 term "infrastructure" to allow the proceeds of a local  
1106 government infrastructure surtax to be used to purchase land for  
1107 certain purposes relating to construction of affordable housing;  
1108 amending s. 163.3202, F.S.; requiring that local land  
1109 development regulations maintain the existing density of  
1110 residential properties or recreational vehicle parks under  
1111 certain circumstances; amending s. 420.503, F.S.; defining the  
1112 term "moderate rehabilitation" for purposes of the Florida  
1113 Housing Finance Corporation Act; amending s. 420.507, F.S.;  
1114 providing the corporation with the power to provide by rule the



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1115 criteria for developer and contractor preference; providing  
1116 criteria for the valuation of domicile and experience of  
1117 developers and general contractors; amending s. 420.5087, F.S.;  
1118 revising purposes for which state apartment incentive loans may  
1119 be used; amending s. 420.622, F.S.; authorizing the agencies  
1120 that provide a local homeless assistance continuum of care to  
1121 use homeless housing assistance grants, provided by the State  
1122 Office of Homelessness within the Department of Children and  
1123 Family Services, to acquire transitional or permanent housing  
1124 units for homeless persons; creating s. 420.628, F.S.; providing  
1125 legislative findings and intent; requiring certain governmental  
1126 entities to develop and implement strategies and procedures  
1127 designed to increase affordable housing opportunities for young  
1128 adults who are leaving the child welfare system; amending s.  
1129 420.9071, F.S.; revising and providing definitions; amending s.  
1130 420.9072, F.S.; conforming a cross-reference; authorizing  
1131 counties and eligible municipalities to use funds from the State  
1132 Housing Initiatives Partnership Program to provide relocation  
1133 grants for persons who are evicted from rental properties that  
1134 are in foreclosure; providing eligibility requirements for  
1135 receiving a grant; providing that authorization for the  
1136 relocation grants expires July 1, 2010; amending s. 420.9073,  
1137 F.S.; revising the frequency with which local housing  
1138 distributions are to be made by the corporation; authorizing the  
1139 corporation to withhold funds from the total distribution  
1140 annually for specified purposes; requiring counties and eligible  
1141 municipalities that receive local housing distributions to  
1142 expend those funds in a specified manner; amending s. 420.9075,  
1143 F.S.; requiring that local housing assistance plans address the





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1144 special housing needs of persons with disabilities; authorizing  
1145 counties and certain municipalities to assist persons and  
1146 households meeting specific income requirements; revising  
1147 requirements to be included in the local housing assistance  
1148 plan; requiring counties and certain municipalities to include  
1149 certain initiatives and strategies in the local housing  
1150 assistance plan; revising criteria that applies to awards made  
1151 for the purpose of providing eligible housing; authorizing and  
1152 limiting the percentage of funds from the local housing  
1153 distribution which may be used for manufactured housing;  
1154 extending the expiration date of an exemption from certain  
1155 income requirements in specified areas; providing for  
1156 retroactive application; authorizing the use of certain funds  
1157 for preconstruction activities; providing that certain costs are  
1158 a program expense; authorizing counties and certain  
1159 municipalities to award grant funds under certain conditions;  
1160 providing for the repayment of funds by the local housing  
1161 assistance trust fund; amending s. 420.9076, F.S.; revising  
1162 appointments to a local affordable housing advisory committee;  
1163 revising notice requirements for public hearings of the advisory  
1164 committee; requiring the committee's final report, evaluation,  
1165 and recommendations to be submitted to the corporation; deleting  
1166 cross-references to conform to changes made by the act;  
1167 repealing s. 420.9078, F.S., relating to state administration of  
1168 funds remaining in the Local Government Housing Trust Fund;  
1169 amending s. 420.9079, F.S.; conforming cross-references;  
1170 amending s. 1001.43, F.S.; revising district school board powers  
1171 and duties in relation to use of land for affordable housing in  
1172 certain areas for certain personnel; providing a legislative



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1173 declaration of important state interest; providing an effective  
1174 date.