

1 A bill to be entitled
 2 An act relating to affordable housing; amending s.
 3 420.5087, F.S.; specifying a percentage of moneys in the
 4 State Apartment Incentive Loan Fund to be awarded as
 5 subordinate loan financing for the new construction of
 6 affordable rental housing developments; providing
 7 eligibility requirements; providing duties of the Florida
 8 Housing Development Corporation; prohibiting certain
 9 persons from serving as financial beneficiaries for any
 10 applicant or developer of any program funded in part with
 11 moneys from the State Housing Trust Fund; providing an
 12 effective date.

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

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 16 Section 1. Subsections (9) and (10) are added to section
 17 420.5087, Florida Statutes, to read:

18 420.5087 State Apartment Incentive Loan Program.—There is
 19 hereby created the State Apartment Incentive Loan Program for
 20 the purpose of providing first, second, or other subordinated
 21 mortgage loans or loan guarantees to sponsors, including for-
 22 profit, nonprofit, and public entities, to provide housing
 23 affordable to very-low-income persons.

24 (9) At least 70 percent of the moneys in the State
 25 Apartment Incentive Loan Fund in each calendar year shall be
 26 awarded as subordinate loan financing for the new construction
 27 of affordable rental housing developments, for which the primary
 28 source of financing is an allocation of tax-exempt private

29 activity bonds issued by the corporation or by a local or
30 regional housing finance authority pursuant to part VI of
31 chapter 159. Development projects located outside of a 2.5-mile
32 radius of a Florida Affordable Housing Guarantee Fund
33 development, which has a short-term subordinate mortgage issued
34 by the corporation, are eligible to receive subordinate loan
35 financing through the corporation. Such subordinate loan
36 financing shall be awarded as provided in subsection (6). Before
37 the receipt of competitive applications for the award of such
38 subordinate loan financing, the corporation shall generate and
39 distribute an estimate of the total amount of State Apartment
40 Incentive Loan Fund moneys available in the calendar year such
41 subordinate loan financing will be awarded. The moneys available
42 to be awarded under this subsection shall include program
43 income, including principal and interest. A rank-ordered list of
44 applications selected for receipt of subordinate loan financing
45 shall be presented to the corporation's board of directors.

46 (10) A financial beneficiary, which is any principal of
47 the developer or general partner of an applicant, of any
48 development financed in part by the guarantee fund authorized
49 under s. 420.5092 which has been foreclosed or is in foreclosure
50 or the developer or general partner of the applicant for which
51 has defaulted on or after July 1, 2011, on any guarantee fund
52 subordinate mortgage or a short-term subordinate mortgage issued
53 in accordance with the programs authorized by the corporation,
54 may not be a financial beneficiary for any applicant or
55 developer of any program funded in part with funds from the
56 State Housing Trust Fund for 3 years after the date of the

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57 foreclosure or default, and must thereafter be approved to
58 participate as a financial beneficiary by the corporation's
59 board of directors.

60 Section 2. This act shall take effect July 1, 2011.