

By the Committee on Budget

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1 A bill to be entitled
2 An act relating to the Department of Economic
3 Opportunity; repealing s. 49 of ch. 2011-47, Laws of
4 Florida; abrogating the future expiration of an
5 amendment to s. 163.3247(3)(d), F.S., to nullify the
6 reversion of the text of that paragraph to that in
7 existence on June 30, 2010; repealing s. 51 of ch.
8 2011-47, Laws of Florida; abrogating the future
9 expiration of an amendment to s. 201.15(1)(c)2., F.S.,
10 to nullify the reversion of the text of that
11 subparagraph to that in existence on June 30, 2010;
12 amending s. 420.0005, F.S.; providing for the deposit
13 of loan repayments, penalties, and other fees and
14 charges into the State Housing Trust Fund in the State
15 Treasury; providing that expenditures from the State
16 Housing Fund for administrative and personnel costs
17 are subject to appropriation by the Legislature;
18 requiring that the interest received on investments of
19 moneys in the State Housing Fund in excess of the
20 amounts appropriated for the current fiscal year be
21 credited to the State Housing Trust Fund; prohibiting
22 funds received by the Florida Housing Finance
23 Corporation from the United States Treasury or any
24 other source for the Hardest-Hit Fund program from
25 being deposited into the State Treasury; providing
26 that such funds are not subject to appropriation by
27 the Legislature; amending s. 420.504, F.S.; creating
28 the Florida Housing Finance Agency within the
29 Department of Economic Opportunity as a state agency

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30 and instrumentality; revising provisions to conform to
31 changes made by the act; amending s. 420.507, F.S.;
32 revising the powers of the Florida Housing Finance
33 Corporation; providing for certain moneys to be
34 deposited into the State Housing Trust Fund or the
35 Federal Grants Trust Fund, as appropriate; requiring
36 that the corporation expend funds from the Federal
37 Grants Trust Fund as appropriated by the Legislature;
38 deleting provisions that exempt the corporation from
39 certain state budgetary requirements; deleting a
40 provision that authorizes the corporation to retain
41 unused operational expenditures; amending s. 420.508,
42 F.S.; providing for the deposit of certain moneys into
43 the State Housing Trust Fund or the Federal Grants
44 Trust Fund, as appropriate; requiring that
45 expenditures from the Florida Housing Finance
46 Corporation Fund be included in the corporation's
47 budget request and be subject to appropriation by the
48 Legislature; amending s. 420.5087, F.S.; revising
49 provisions relating to the State Apartment Incentive
50 Loan Program; conforming a cross-reference; deleting
51 an obsolete provision; requiring that loan repayments
52 and certain proceeds be accounted for by the
53 corporation and be deposited into the State Housing
54 Trust Fund; deleting a provision that prohibits loan
55 repayments and certain proceeds from reverting to the
56 General Revenue Fund; requiring that expenditures from
57 the State Apartment Incentive Loan Fund be included in
58 the corporation's budget request and be subject to

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59 appropriation by the Legislature; authorizing the use
60 of certain funds for construction in fiscal years
61 subsequent to the fiscal years for which the funds
62 were appropriated, upon approval by the Legislative
63 Budget Commission; requiring that the corporation
64 account for certain funds and deposit them into the
65 State Housing Trust Fund; prohibiting the corporation
66 from transferring funds for its loan loss insurance
67 reserve except upon approval of a budget amendment by
68 the Legislative Budget Commission; amending s.
69 420.5088, F.S.; revising provisions relating to the
70 Florida Homeownership Assistance Program; deleting an
71 obsolete provision; requiring that the corporation
72 account for certain moneys deposited into the State
73 Housing Trust Fund; requiring that expenditures from
74 the Florida Homeownership Assistance Fund be included
75 in the corporation's budget request and be subject to
76 appropriation by the Legislature; amending s.
77 420.5089, F.S.; revising provisions relating to the
78 HOME Investment Partnership Program; deleting an
79 obsolete provision; requiring that the corporation
80 account for certain moneys deposited into the State
81 Housing Trust Fund; authorizing the corporation to use
82 certain funds for construction in fiscal years
83 subsequent to the fiscal years for which the funds
84 were appropriated, upon the approval of a budget
85 amendment by the Legislative Budget Commission;
86 providing for certain funds to be deposited into the
87 State Housing Trust Fund; amending s. 420.5091, F.S.;

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88 revising provisions relating to the HOPE Program;
89 providing for the deposit of certain funds into the
90 State Housing Trust Fund; amending s. 420.5092, F.S.;
91 revising provisions relating to the Florida Affordable
92 Housing Guarantee Program; authorizing the use of
93 certain funds to support the Florida Affordable
94 Housing Guarantee Program; prohibiting the corporation
95 from issuing new guarantees for the payment of any
96 affordable housing project, beginning July 1, 2012;
97 requiring that all guarantee fund earnings,
98 recoveries, and other funds received in conjunction
99 with the guarantee fund be deposited into the
100 guarantee fund; providing that such funds are not
101 subject to appropriation by the Legislature; amending
102 s. 420.525, F.S.; revising provisions relating to the
103 Housing Predevelopment Fund; deleting an obsolete
104 provision; requiring that expenditures from the
105 Housing Predevelopment Fund be included in the
106 corporation's budget request and be subject to
107 appropriation by the Legislature; authorizing the use
108 certain funds for predevelopment activities in fiscal
109 years subsequent to the fiscal years for which the
110 funds were appropriated, upon approval of a budget
111 amendment by the Legislative Budget Commission;
112 requiring that the corporation account for certain
113 moneys to be deposited into the State Housing Trust
114 Fund; deleting a provision that prohibits certain
115 funds, loan repayments, proceeds from reverting to the
116 General Revenue Fund; amending ss. 420.526 and

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117 420.529, F.S.; requiring that the corporation account
118 for certain moneys to be repaid to or deposited into
119 the State Housing Trust Fund; amending s. 420.9079,
120 F.S.; providing for the deposit of certain moneys into
121 the Local Government Housing Trust Fund; requiring
122 that the interest on invested funds be credited to the
123 Local Government Housing Trust Fund; amending s.
124 443.036, F.S.; revising the definition of the term
125 "initial skills review" to correct a reference to the
126 agency that approves online education or training
127 programs as the Department of Economic Opportunity
128 rather than the Agency for Workforce Innovation;
129 amending s. 445.009, F.S.; deleting the future
130 expiration of provisions authorizing worker's
131 compensation coverage for a participant in an adult or
132 youth work experience activity; repealing s. 445.06,
133 F.S., relating to the Florida Ready to Work
134 Certification Program; amending s. 1003.4285, F.S.;
135 deleting a provision that requires a standard high
136 school diploma to include a designation reflecting a
137 Florida Ready to Work Credential, to conform to
138 changes made by the act; directing the Department of
139 Economic Opportunity to prepare draft legislation to
140 conform the Florida Statutes to the provisions of the
141 act; requiring that the department submit the draft
142 legislation to the Governor and the Legislature by a
143 specified date; amending s. 212.20, F.S.; requiring
144 that the Department of Revenue distribute monthly to
145 the Florida Institute of Technology a specified amount

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146 for the purpose of operating a space exploration
147 research institute; requiring that the Florida
148 Institute of Technology develop a plan for the space
149 exploration research institute in conjunction with
150 Space Florida; authorizing a local governmental entity
151 that is an independent special district providing
152 certain utility services to reduce its rates by
153 resolution for a specified time for a user that will
154 provide a community benefit; providing that the
155 governmental entity may purchase fuel under the same
156 conditions enjoyed by municipalities and counties;
157 providing effective dates.

158
159 Be It Enacted by the Legislature of the State of Florida:

160
161 Section 1. Section 49 of chapter 2011-47, Laws of Florida,
162 is repealed.

163 Section 2. Section 51 of chapter 2011-47, Laws of Florida,
164 is repealed.

165 Section 3. Section 420.0005, Florida Statutes, is amended
166 to read:

167 420.0005 State Housing Trust Fund; State Housing Fund.—

168 (1) There is hereby established in the State Treasury a
169 separate trust fund to be named the "State Housing Trust Fund."
170 There shall be deposited in the fund all moneys appropriated by
171 the Legislature, or moneys received from any other source, for
172 the purpose of this chapter, including all loan repayments,
173 penalties, and other fees and charges accruing to the fund under
174 this chapter, and all proceeds derived from the use of such

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175 moneys. The fund shall be administered by the Florida Housing
176 Finance Corporation on behalf of the department, as specified in
177 this chapter. Money deposited to the fund and appropriated by
178 the Legislature must, notwithstanding the provisions of chapter
179 216 ~~or s. 420.504(3)~~, be transferred quarterly in advance, to
180 the extent available, or, if not so available, as soon as
181 received into the State Housing Trust Fund, and subject to the
182 provisions of s. 420.5092(6) (a) and (b) by the Chief Financial
183 Officer to the corporation upon certification by the executive
184 director of the Department of Economic Opportunity that the
185 corporation is in compliance with the requirements of s.
186 420.0006. The certification made by the executive director
187 ~~secretary~~ shall also include the split of funds among programs
188 administered by the corporation and the department as specified
189 in chapter 92-317, Laws of Florida, as amended. Moneys advanced
190 by the Chief Financial Officer must be deposited by the
191 corporation into a separate fund established with a qualified
192 public depository meeting the requirements of chapter 280 to be
193 named the "State Housing Fund," or into the appropriate fund
194 established with a qualified public depository meeting the
195 requirements of chapter 280 as specified in the General
196 Appropriations Act, and used for the purposes of this chapter.
197 Administrative and personnel costs incurred in implementing this
198 chapter may be paid from the State Housing Fund, as appropriated
199 by the Legislature ~~but such costs may not exceed 5 percent of~~
200 ~~the moneys deposited into such fund. To the State Housing Fund~~
201 ~~shall be credited all loan repayments, penalties, and other fees~~
202 ~~and charges accruing to such fund under this chapter. It is the~~
203 ~~intent of this chapter that all loan repayments, penalties, and~~

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204 ~~other fees and charges collected be credited in full to the~~
205 ~~program account from which the loan originated. Moneys in the~~
206 State Housing Fund, or other funds specified in the General
207 Appropriations Act, which are in excess of the amounts
208 appropriated for the current fiscal year and are not
209 contractually obligated ~~which are not currently needed for the~~
210 ~~purposes of this chapter~~ shall be deposited with the State
211 Treasury to the credit of the State Housing Trust Fund and may
212 be invested in such manner as is provided for by statute. The
213 interest received on any such investment shall be credited to
214 the State Housing Trust Fund.

215 (2) Notwithstanding subsection (1), all funds received by
216 the Florida Housing Finance Corporation from the United States
217 Treasury or from any other source for the Hardest-Hit Fund
218 program, established pursuant to the Emergency Economic
219 Stabilization Act of 2008, may not be deposited into the State
220 Treasury and are not subject to appropriation by the
221 Legislature.

222 Section 4. Effective July 1, 2013, section 420.504, Florida
223 Statutes, is amended to read:

224 420.504 Agency ~~Public corporation~~; creation, membership,
225 terms, expenses.-

226 (1) There is created within the Department of Economic
227 Opportunity a state agency and instrumentality that shall be
228 ~~public corporation~~ and a public body corporate and politic, to
229 be known as the "Florida Housing Finance Agency Corporation." ~~It~~
230 ~~is declared to be the intent of and constitutional construction~~
231 ~~by the Legislature that the Florida Housing Finance Corporation~~
232 ~~constitutes an entrepreneurial public corporation organized to~~

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233 ~~provide and promote the public welfare by administering the~~
234 ~~governmental function of financing or refinancing housing and~~
235 ~~related facilities in Florida and that the corporation is not a~~
236 ~~department of the executive branch of state government within~~
237 ~~the scope and meaning of s. 6, Art. IV of the State~~
238 ~~Constitution, but is functionally related to the Department of~~
239 ~~Economic Opportunity in which it is placed. The executive~~
240 ~~function of state government to be performed by the executive~~
241 ~~director of the Department of Economic Opportunity in the~~
242 ~~conduct of the business of the Florida Housing Finance~~
243 ~~Corporation must be performed pursuant to a contract to monitor~~
244 ~~and set performance standards for the implementation of the~~
245 ~~business plan for the provision of housing approved for the~~
246 ~~corporation as provided in s. 420.0006. This contract shall~~
247 ~~include the performance standards for the provision of~~
248 ~~affordable housing in Florida established in the business plan~~
249 ~~described in s. 420.511.~~

250 ~~(2) The corporation is constituted as a public~~
251 ~~instrumentality, and the exercise by the corporation of the~~
252 ~~power conferred by this act is considered to be the performance~~
253 ~~of an essential public function. The corporation is an agency~~
254 ~~for the purposes of s. 120.52 and is a state agency for purposes~~
255 ~~of s. 159.807(4). The corporation is subject to chapter 119,~~
256 ~~subject to exceptions applicable to the corporation, and to the~~
257 ~~provisions of chapter 286; however, the corporation shall be~~
258 ~~entitled to provide notice of internal review committee meetings~~
259 ~~for competitive proposals or procurement to applicants by mail,~~
260 ~~facsimile, or publication on an Internet website, rather than by~~
261 ~~means of publication. The corporation is not governed by chapter~~

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262 ~~607 or chapter 617, but by the provisions of this part. If for~~
263 ~~any reason the establishment of the corporation is deemed in~~
264 ~~violation of law, such provision is severable and the remainder~~
265 ~~of this act remains in full force and effect.~~

266 (2) ~~(3)~~ ~~The corporation is a separate budget entity and is~~
267 ~~not subject to control, supervision, or direction by the~~
268 ~~Department of Economic Opportunity in any manner, including, but~~
269 ~~not limited to, personnel, purchasing, transactions involving~~
270 ~~real or personal property, and budgetary matters. The agency~~
271 ~~corporation~~ shall consist of a board of directors composed of
272 the executive director of the Department of Economic Opportunity
273 as an ex officio and voting member, or a senior-level agency
274 employee designated by the director, and eight members appointed
275 by the Governor subject to confirmation by the Senate from the
276 following:

277 (a) One citizen actively engaged in the residential home
278 building industry.

279 (b) One citizen actively engaged in the banking or mortgage
280 banking industry.

281 (c) One citizen who is a representative of those areas of
282 labor engaged in home building.

283 (d) One citizen with experience in housing development who
284 is an advocate for low-income persons.

285 (e) One citizen actively engaged in the commercial building
286 industry.

287 (f) One citizen who is a former local government elected
288 official.

289 (g) Two citizens of the state who are not principally
290 employed as members or representatives of any of the groups

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291 specified in paragraphs (a)-(f).

292 (3)~~(4)~~ (a) Members of the agency's board ~~corporation~~ shall
293 be appointed for terms of 4 years, except that any vacancy shall
294 be filled for the unexpired term.

295 (b) Subject to removal or reinstatement of the member by
296 the Senate, the Governor may suspend a member for cause,
297 including, but not limited to, failure to attend at least 3
298 meetings of the board during any 12-month period.

299 (4)~~(5)~~ The chair and a vice chair shall be elected annually
300 by the members thereof. Any additional officers, who need not be
301 members, as may be deemed necessary by the members of the agency
302 ~~corporation~~ may be designated and elected by the members
303 thereof.

304 (5)~~(6)~~ A member of the agency's board may not ~~of directors~~
305 ~~of the corporation shall~~ receive ~~no~~ compensation for his or her
306 services but is ~~shall be~~ entitled to the necessary expenses,
307 including per diem and travel expenses, incurred in the
308 discharge of his or her duties, as provided by law.

309 (6)~~(7)~~ Each member of the agency's board ~~of directors of~~
310 ~~the corporation~~ shall file full and public disclosure of
311 financial interests at the times and places and in the same
312 manner required of elected constitutional officers under s. 8,
313 Art. II of the State Constitution and any law implementing s. 8,
314 Art. II of the State Constitution.

315 (7)~~(8)~~ The agency ~~corporation~~ is an agency ~~a corporation~~
316 primarily acting as an instrumentality of the state, within the
317 meaning of s. 768.28.

318 Section 5. Present subsections (32) through (47) of section
319 420.507, Florida Statutes, are redesignated as subsections (31)

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320 through (46), respectively, subsections (10), (28), and (30) of
321 that section are amended, and present subsections (31) and (33)
322 of that section are amended, to read:

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

328 (10) To contract for and to accept gifts, grants, loans, or
329 other aid from the United States Government or any person or
330 corporation which, except as otherwise expressly provided by
331 law, shall be deposited into the State Housing Trust Fund or the
332 Federal Grants Trust Fund, as appropriate, for expenditure as
333 appropriated by the Legislature.

334 (28) To expend amounts appropriated by the Legislature
335 ~~advanced~~ from the State Housing Trust Fund for the purposes of
336 this part.

337 (30) To prepare and submit to the executive director
338 ~~secretary~~ of the department a budget request for purposes of the
339 corporation, which ~~request shall, notwithstanding the provisions~~
340 ~~of chapter 216 and in accordance with s. 216.351,~~ contain a
341 request for operational expenditures and separate requests for
342 other authorized corporation programs. ~~The request shall not be~~
343 ~~required to contain information on the number of employees,~~
344 ~~salaries, or any classification thereof, and the approved~~
345 ~~operating budget therefor need not comply with s. 216.181(8)—~~
346 ~~(10).~~ The executive director ~~secretary~~ is authorized to include
347 within the department's budget request the corporation's budget
348 request in the form as authorized by this section.

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349 ~~(31) Notwithstanding the provisions of s. 216.301, to~~
350 ~~retain any unused operational expenditure appropriation for~~
351 ~~other lawful purposes of the corporation.~~

352 (32)~~(33)~~ To receive federal funding in connection with the
353 corporation's programs directly from the Federal Government,
354 which, except as otherwise expressly provided by law, shall be
355 deposited into the Federal Grants Trust Fund for expenditure as
356 appropriated by the Legislature, and to receive federal funds
357 for which a ~~ne~~ corresponding program has not been created in
358 statute and establish selection criteria for such funds by
359 request for proposals or other competitive solicitation.

360 Section 6. Subsection (5) of section 420.508, Florida
361 Statutes, is amended to read:

362 420.508 Special powers; multifamily and single-family
363 projects.—The corporation shall have the special power to:

364 (5) Establish with a qualified depository meeting the
365 requirements of chapter 280, a separate fund to be known as the
366 "Florida Housing Finance Corporation Fund," to be administered
367 by the corporation in accordance with the purposes of this
368 chapter. All fees collected by the corporation ~~directly~~ from the
369 Federal Government for administration of the United States
370 Department of Housing and Urban Development Section 8 housing
371 program, all annual administrative fees collected by trustees
372 for bond programs and remitted to the corporation, all expense
373 fees related to costs of bond issuance collected by trustees and
374 remitted to the corporation, and all tax credit program fees
375 must be deposited into the State Housing Trust Fund or the
376 Federal Grants Trust Fund, as appropriate, in the State Treasury
377 fund. The Florida Housing Finance Corporation Fund shall be used

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378 ~~utilized~~ for the purposes of the corporation, including payment
379 of administrative expenses. Expenditures from the Florida
380 Housing Finance Corporation Fund shall ~~not be required to be~~
381 included in the corporation's budget request and are ~~or be~~
382 subject to appropriation by the Legislature.

383 Section 7. Paragraph (c) of subsection (6) and subsections
384 (7) and (8) of section 420.5087, Florida Statutes, are amended
385 to read:

386 420.5087 State Apartment Incentive Loan Program.—There is
387 hereby created the State Apartment Incentive Loan Program for
388 the purpose of providing first, second, or other subordinated
389 mortgage loans or loan guarantees to sponsors, including for-
390 profit, nonprofit, and public entities, to provide housing
391 affordable to very-low-income persons.

392 (6) On all state apartment incentive loans, except loans
393 made to housing communities for the elderly to provide for
394 lifesafety, building preservation, health, sanitation, or
395 security-related repairs or improvements, the following
396 provisions shall apply:

397 (c) The corporation shall provide by rule for the
398 establishment of a review committee composed of the department
399 and corporation staff and shall establish by rule a scoring
400 system for evaluation and competitive ranking of applications
401 submitted in this program, including, but not limited to, the
402 following criteria:

403 1. Tenant income and demographic targeting objectives of
404 the corporation.

405 2. Targeting objectives of the corporation which will
406 ensure an equitable distribution of loans between rural and

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407 urban areas.

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

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

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

417 b. Forty percent of the units in the project for persons or
418 families who have incomes that do not exceed 60 percent of the
419 state or local median income, whichever is higher, without
420 requiring a greater amount of the loans as provided in this
421 section.

422 5. Provision for tenant counseling.

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

425 7. Projects requiring the least amount of a state apartment
426 incentive loan compared to overall project cost except that the
427 share of the loan attributable to units serving extremely-low-
428 income persons shall be excluded from this requirement.

429 8. Local government contributions and local government
430 comprehensive planning and activities that promote affordable
431 housing.

432 9. Project feasibility.

433 10. Economic viability of the project.

434 11. Commitment of first mortgage financing.

435 12. Sponsor's prior experience.

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- 436 13. Sponsor's ability to proceed with construction.
- 437 14. Projects that directly implement or assist welfare-to-
438 work transitioning.
- 439 15. Projects that reserve units for extremely-low-income
440 persons.
- 441 16. Projects that include green building principles, storm-
442 resistant construction, or other elements that reduce long-term
443 costs relating to maintenance, utilities, or insurance.
- 444 17. Job-creation rate of the developer and general
445 contractor, as provided in s. 420.507(46) ~~s. 420.507(47)~~.
- 446 (7) There is authorized to be established by the
447 corporation with a qualified public depository meeting the
448 requirements of chapter 280 a separate fund to be named the
449 "State Apartment Incentive Loan Fund," which shall be
450 administered by the corporation according to the provisions of
451 this program. ~~Any amounts held in the State Apartment Incentive~~
452 ~~Loan Trust Fund for such purpose as of January 1, 1998, must be~~
453 ~~transferred to the corporation for deposit in the State~~
454 ~~Apartment Incentive Loan Fund and the State Apartment Incentive~~
455 ~~Loan Trust Fund must be closed.~~ There shall be deposited into
456 the fund moneys from the State Housing Trust Fund as created by
457 s. 420.0005, or moneys received from any other source, for the
458 purpose of this program ~~and all proceeds derived from the use of~~
459 ~~such moneys.~~ However ~~In addition,~~ all loan repayments, proceeds
460 from the sale of any property, and any other proceeds that would
461 otherwise accrue pursuant to the activities conducted under the
462 provisions of the State Apartment Incentive Loan Program shall
463 be accounted for by the corporation and deposited into ~~in~~ the
464 State Housing Trust Fund in the State Treasury fund and shall

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465 ~~not revert to the General Revenue Fund. Expenditures from the~~
466 ~~State Apartment Incentive Loan Fund shall not be required to be~~
467 ~~included in the corporation's budget request and are or be~~
468 ~~subject to appropriation by the Legislature. If the construction~~
469 ~~period extends beyond a loan commitment for program funds is~~
470 ~~entered into during the state fiscal year for which the program~~
471 ~~funds are were appropriated, or the fiscal year in which the~~
472 ~~loan commitment is entered, the funds may shall continue to be~~
473 ~~used in a subsequent fiscal year upon the approval of a budget~~
474 ~~amendment for such funds by the Legislative Budget Commission~~
475 ~~made available for use during the entire construction period,~~
476 ~~even if it extends beyond the state fiscal year in which the~~
477 ~~loan commitment was entered.~~

478 (8) If a default on a loan occurs, the corporation may
479 foreclose on any mortgage or security interest or commence any
480 legal action to protect the interest of the corporation or the
481 fund and recover the amount of the unpaid principal, accrued
482 interest, and fees on behalf of the fund. The corporation may
483 acquire real and personal property or any interest therein when
484 that acquisition is necessary or appropriate to protect any
485 loan; to sell, transfer, and convey any such property to a buyer
486 without regard to the provisions of chapters 253 and 270; and,
487 if that sale, transfer, or conveyance cannot be effected within
488 a reasonable time, to lease such property for occupancy by
489 eligible persons. All sums recovered from the sale, transfer,
490 conveyance, or lease of such property shall be accounted for by
491 the corporation and deposited into the State Housing Trust
492 Apartment Incentive Loan Fund in the State Treasury. The
493 corporation may not transfer funds for its loan loss insurance

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494 reserve except upon approval of a budget amendment for such
 495 funds by the Legislative Budget Commission.

496 Section 8. Subsection (4) of section 420.5088, Florida
 497 Statutes, is amended to read:

498 420.5088 Florida Homeownership Assistance Program.—There is
 499 created the Florida Homeownership Assistance Program for the
 500 purpose of assisting low-income and moderate-income persons in
 501 purchasing a home as their primary residence by reducing the
 502 cost of the home with below-market construction financing, by
 503 reducing the amount of down payment and closing costs paid by
 504 the borrower to a maximum of 5 percent of the purchase price, or
 505 by reducing the monthly payment to an affordable amount for the
 506 purchaser. Loans shall be made available at an interest rate
 507 that does not exceed 3 percent. The balance of any loan is due
 508 at closing if the property is sold, refinanced, rented, or
 509 transferred, unless otherwise approved by the corporation.

510 (4) There is authorized to be established by the
 511 corporation with a qualified public depository meeting the
 512 requirements of chapter 280 the Florida Homeownership Assistance
 513 Fund to be administered by the corporation according to the
 514 provisions of this program. ~~Any amounts held in the Florida~~
 515 ~~Homeownership Assistance Trust Fund for such purposes as of~~
 516 ~~January 1, 1998, must be transferred to the corporation for~~
 517 ~~deposit in the Florida Homeownership Assistance Fund, whereupon~~
 518 ~~the Florida Homeownership Assistance Trust Fund must be closed.~~
 519 There shall be deposited in the fund moneys from the State
 520 Housing Trust Fund created by s. 420.0005⁷ or moneys received
 521 from any other source⁷ for the purpose of this program ~~and all~~
 522 ~~proceeds derived from the use of such moneys. However In~~

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523 ~~addition,~~ all unencumbered funds, loan repayments, proceeds from
524 the sale of any property, and any other proceeds that would
525 otherwise accrue pursuant to the activities of the programs
526 described in this section shall be accounted for by the
527 corporation and deposited into the State Housing Trust Fund in
528 the State Treasury ~~transferred to this fund.~~ In addition, all
529 loan repayments, proceeds from the sale of any property, and any
530 other proceeds that would otherwise accrue pursuant to the
531 activities conducted under the provisions of the Florida
532 Homeownership Assistance Program shall be accounted for by the
533 corporation and deposited into ~~in~~ the State Housing Trust Fund
534 in the State Treasury ~~fund and shall not revert to the General~~
535 ~~Revenue Fund.~~ Expenditures from the Florida Homeownership
536 Assistance Fund shall ~~not be required to~~ be included in the
537 corporation's budget request and are ~~or be~~ subject to
538 appropriation by the Legislature.

539 Section 9. Subsections (1) and (10) of section 420.5089,
540 Florida Statutes, are amended to read:

541 420.5089 HOME Investment Partnership Program; HOME
542 Investment Partnership Fund.—

543 (1) There is authorized to be established by the
544 corporation with a qualified public depository meeting the
545 requirements of chapter 280 the HOME Investment Partnership
546 Fund, which shall be administered by the corporation according
547 to the provisions of the HOME Investment Partnership Program
548 which is hereby created. ~~Any amounts held in the HOME~~
549 ~~Partnership Trust Fund for such purposes as of January 1, 1998,~~
550 ~~must be transferred to the corporation for deposit in the HOME~~
551 ~~Investment Partnership Fund, whereupon the HOME Partnership~~

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552 ~~Trust Fund must be closed.~~ There shall be deposited into the
553 fund moneys appropriated from the State Housing Trust Fund.
554 ~~However or moneys received from any other source for the purpose~~
555 ~~of this program, and all proceeds derived from the use of such~~
556 ~~moneys. In addition, all loan repayments, proceeds from the sale~~
557 ~~of any property, and any other proceeds that would otherwise~~
558 ~~accrue pursuant to the activities conducted under the provisions~~
559 ~~of the HOME Investment Partnership Program shall be~~ accounted
560 for by the corporation and deposited into the State Housing
561 Trust Fund in the State Treasury fund and shall not revert to
562 ~~the General Revenue Fund.~~ Expenditures from the HOME Investment
563 Partnership Fund shall ~~not be required to~~ be included in the
564 corporation's budget request and are ~~or be~~ subject to
565 appropriation by the Legislature. If the construction period
566 extends beyond the state fiscal year in which the funds are
567 appropriated, the funds may be used in a subsequent fiscal year
568 upon the approval of a budget amendment for such funds by the
569 Legislative Budget Commission.

570 (10) All sums recovered from the sale, transfer,
571 conveyance, or lease of such property shall be deposited into
572 the State Housing Trust ~~HOME Investment Partnership~~ Fund for
573 expenditure as appropriated by the Legislature.

574 Section 10. Subsection (1) of section 420.5091, Florida
575 Statutes, is amended to read:

576 420.5091 HOPE Program.—

577 (1) The corporation may adopt rules to implement the HOPE
578 Program, created by the 1990 National Affordable Housing Act, to
579 make loans and grants, foreclose on any mortgage or security
580 interest, or commence any legal action to protect the interest

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581 of the corporation and recover the amount of the unpaid
582 principal, accrued interest, and fees. The corporation may
583 acquire real and personal property or any interest in the
584 property if that acquisition is necessary to protect any loan;
585 sell, transfer, and convey any such property to a buyer without
586 regard to the provisions of chapters 253 and 270; and, if that
587 sale, transfer, or conveyance cannot be effected within a
588 reasonable time, lease such property for occupancy by eligible
589 persons. All sums recovered from the sale, transfer, conveyance,
590 or lease of such property shall be deposited into the State
591 Housing Trust ~~HOME Investment Partnership~~ Fund in the State
592 Treasury.

593 Section 11. Subsection (3) of section 420.5092, Florida
594 Statutes, is amended, and subsections (12) and (13) are added to
595 that section, to read:

596 420.5092 Florida Affordable Housing Guarantee Program.—

597 (3) Amounts on deposit in the State Housing Trust Fund or
598 amounts received by the Florida Housing Finance Corporation as
599 program funds from loan programs funded by state moneys may also
600 be used to support the Florida Affordable Housing Guarantee
601 Program. Such use, if any, is in addition to those purposes for
602 which the State Housing Trust Fund was created, and such moneys
603 shall be obligated and committed in accordance with the
604 corporation certification provided for in subsection (6).

605 (12) Beginning July 1, 2012, the corporation may not issue
606 new guarantees for the payment of any obligation made to finance
607 or refinance the purchase, construction, or rehabilitation of
608 any affordable housing project.

609 (13) Notwithstanding s. 420.0005 or any other law to the

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610 contrary, all guarantee fund earnings, recoveries, and other
611 funds received in conjunction with the guarantee fund pursuant
612 to this section shall be deposited into the guarantee fund and
613 are not subject to appropriation by the Legislature.

614 Section 12. Section 420.525, Florida Statutes, is amended
615 to read:

616 420.525 Housing Predevelopment Fund.—

617 (1) There is authorized to be established by the
618 corporation with a qualified public depository meeting the
619 requirements of chapter 280 a separate fund to be named the
620 "Housing Predevelopment Fund" which shall be administered by the
621 corporation according to the provisions of ss. 420.521-420.529.
622 ~~Any amounts held in the Housing Predevelopment Trust Fund for~~
623 ~~such purposes as of January 1, 1998, must be transferred to the~~
624 ~~corporation for deposit in the Housing Predevelopment Fund,~~
625 ~~whereupon the Housing Predevelopment Trust Fund must be closed.~~
626 There shall be deposited into the fund moneys appropriated from
627 the State Housing Trust Fund as created by s. 420.0005 or moneys
628 received from any other source, for the purpose of this program
629 and ~~all proceeds derived from the use of such moneys.~~

630 Administrative and personnel costs incurred in implementing the
631 provisions of ss. 420.521-420.529 may be paid from the fund.

632 Expenditures from the Housing Predevelopment Fund shall ~~not be~~
633 ~~required to~~ be included in the corporation's budget request and
634 are ~~or be~~ subject to appropriation by the Legislature. If the
635 predevelopment period extends beyond the state fiscal year in
636 which the funds are appropriated, the funds may be used in a
637 subsequent fiscal year upon the approval of a budget amendment
638 for such funds by the Legislative Budget Commission.

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639 (2) All unencumbered funds, loan repayments, proceeds from
640 the sale of any property, existing funds remaining in the
641 following programs, and any other proceeds that would otherwise
642 accrue pursuant to the activities conducted under this program
643 and the provisions of the following programs shall be accounted
644 for by the corporation and deposited into in the State Housing
645 Trust Fund in the State Treasury fund and shall not revert to
646 the General Revenue Fund:

647 (a) The Rural Housing Land Acquisition and Site Development
648 Act;

649 (b) The Farmworker Housing Assistance Act; and

650 (c) The Community-Based Organization Loan Program created
651 by the Affordable Housing Planning and Community Assistance Act.

652 Section 13. Subsection (5) of section 420.526, Florida
653 Statutes, is amended to read:

654 420.526 Predevelopment Loan Program; loans and grants
655 authorized; activities eligible for support.—

656 (5) Any funds paid out of the Housing Predevelopment Fund
657 for activities under ss. 420.521-420.529 which are reimbursed to
658 the sponsor from another source shall be accounted for by the
659 corporation and repaid to the State Housing Trust Fund in the
660 State Treasury for expenditure as appropriated by the
661 Legislature fund.

662 Section 14. Section 420.529, Florida Statutes, is amended
663 to read:

664 420.529 Default by sponsor.—If a default on a loan occurs,
665 the corporation may foreclose on any mortgage or security
666 interest or commence any legal action to protect the interest of
667 the corporation or the fund and recover the amount of the unpaid

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668 principal, accrued interest, and fees on behalf of the fund. The
669 corporation may also acquire real and personal property or any
670 interest in the property if such acquisition is necessary or
671 appropriate to protect any loan; to sell, transfer, and convey
672 any such property to a buyer without regard to the provisions of
673 chapters 253 and 270; and, if such sale, transfer, or conveyance
674 cannot be effected within a reasonable time, to lease such
675 property for occupancy by eligible persons. All sums recovered
676 from the sale, transfer, conveyance, or lease of such property
677 shall be accounted for by the corporation and deposited into the
678 State Housing Trust ~~Predevelopment~~ Fund in the State Treasury
679 for expenditure as appropriated by the Legislature.

680 Section 15. Subsection (1) of section 420.9079, Florida
681 Statutes, is amended to read:

682 420.9079 Local Government Housing Trust Fund.—

683 (1) There is created in the State Treasury the Local
684 Government Housing Trust Fund, which shall be administered by
685 the corporation on behalf of the department according to the
686 provisions of ss. 420.907-420.9076 and this section. There shall
687 be deposited into the fund all moneys appropriated by the
688 Legislature, a portion of the documentary stamp tax revenues as
689 provided in s. 201.15, moneys received from any other source for
690 the purposes of ss. 420.907-420.9076 and this section, and all
691 proceeds derived from the investment of such moneys. Moneys in
692 the fund that are not currently needed for the purposes of the
693 programs administered pursuant to ss. 420.907-420.9076 and this
694 section shall be deposited in the State Treasury to the credit
695 of the fund and may be invested as provided by law. The interest
696 received on any such investment shall be credited to the Local

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697 Government Housing Trust Fund.

698 Section 16. Subsection (26) of section 443.036, Florida
699 Statutes, is amended to read:

700 443.036 Definitions.—As used in this chapter, the term:

701 (26) "Initial skills review" means an online education or
702 training program, ~~such as that established under s. 1004.99,~~
703 that is approved by the Department of Economic Opportunity
704 ~~Agency for Workforce Innovation~~ and designed to measure an
705 individual's mastery level of workplace skills.

706 Section 17. Subsection (11) of section 445.009, Florida
707 Statutes, is amended to read:

708 445.009 One-stop delivery system.—

709 (11) A participant in an adult or youth work experience
710 activity administered under this chapter shall be deemed an
711 employee of the state for purposes of workers' compensation
712 coverage. In determining the average weekly wage, all
713 remuneration received from the employer shall be considered a
714 gratuity, and the participant is ~~shall~~ not be entitled to any
715 benefits otherwise payable under s. 440.15, regardless of
716 whether the participant may be receiving wages and remuneration
717 from other employment with another employer and regardless of
718 his or her future wage-earning capacity. ~~This subsection expires~~
719 ~~July 1, 2012.~~

720 Section 18. Section 445.06, Florida Statutes, is repealed.

721 Section 19. Subsection (4) of section 1003.4285, Florida
722 Statutes, is amended to read:

723 1003.4285 Standard high school diploma designations.—Each
724 standard high school diploma shall include, as applicable:

725 ~~(4) A designation reflecting a Florida Ready to Work~~

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726 ~~Credential in accordance with s. 445.06.~~

727 Section 20. The Legislature recognizes that there is a need
728 to conform the Florida Statutes to the policy decisions
729 reflected in this act. Therefore, the Department of Economic
730 Opportunity is directed to prepare draft legislation to conform
731 the Florida Statutes to the provisions of this act. The
732 department shall submit the draft legislation to the Governor,
733 the President of the Senate, and the Speaker of the House of
734 Representatives on or before October 1, 2012.

735 Section 21. Paragraph (d) of subsection (6) of section
736 212.20, Florida Statutes, is amended to read:

737 212.20 Funds collected, disposition; additional powers of
738 department; operational expense; refund of taxes adjudicated
739 unconstitutionally collected.—

740 (6) Distribution of all proceeds under this chapter and s.
741 202.18(1)(b) and (2)(b) shall be as follows:

742 (d) The proceeds of all other taxes and fees imposed
743 pursuant to this chapter or remitted pursuant to s. 202.18(1)(b)
744 and (2)(b) shall be distributed as follows:

745 1. In any fiscal year, the greater of \$500 million, minus
746 an amount equal to 4.6 percent of the proceeds of the taxes
747 collected pursuant to chapter 201, or 5.2 percent of all other
748 taxes and fees imposed pursuant to this chapter or remitted
749 pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in
750 monthly installments into the General Revenue Fund.

751 2. After the distribution under subparagraph 1., 8.814
752 percent of the amount remitted by a sales tax dealer located
753 within a participating county pursuant to s. 218.61 shall be
754 transferred into the Local Government Half-cent Sales Tax

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755 Clearing Trust Fund. Beginning July 1, 2003, the amount to be
756 transferred shall be reduced by 0.1 percent, and the department
757 shall distribute this amount to the Public Employees Relations
758 Commission Trust Fund less \$5,000 each month, which shall be
759 added to the amount calculated in subparagraph 3. and
760 distributed accordingly.

761 3. After the distribution under subparagraphs 1. and 2.,
762 0.095 percent shall be transferred to the Local Government Half-
763 cent Sales Tax Clearing Trust Fund and distributed pursuant to
764 s. 218.65.

765 4. After the distributions under subparagraphs 1., 2., and
766 3., 2.0440 percent of the available proceeds shall be
767 transferred monthly to the Revenue Sharing Trust Fund for
768 Counties pursuant to s. 218.215.

769 5. After the distributions under subparagraphs 1., 2., and
770 3., 1.3409 percent of the available proceeds shall be
771 transferred monthly to the Revenue Sharing Trust Fund for
772 Municipalities pursuant to s. 218.215. If the total revenue to
773 be distributed pursuant to this subparagraph is at least as
774 great as the amount due from the Revenue Sharing Trust Fund for
775 Municipalities and the former Municipal Financial Assistance
776 Trust Fund in state fiscal year 1999-2000, no municipality shall
777 receive less than the amount due from the Revenue Sharing Trust
778 Fund for Municipalities and the former Municipal Financial
779 Assistance Trust Fund in state fiscal year 1999-2000. If the
780 total proceeds to be distributed are less than the amount
781 received in combination from the Revenue Sharing Trust Fund for
782 Municipalities and the former Municipal Financial Assistance
783 Trust Fund in state fiscal year 1999-2000, each municipality

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784 shall receive an amount proportionate to the amount it was due
785 in state fiscal year 1999-2000.

786 6. Of the remaining proceeds:

787 a. In each fiscal year, the sum of \$29,915,500 shall be
788 divided into as many equal parts as there are counties in the
789 state, and one part shall be distributed to each county. The
790 distribution among the several counties must begin each fiscal
791 year on or before January 5th and continue monthly for a total
792 of 4 months. If a local or special law required that any moneys
793 accruing to a county in fiscal year 1999-2000 under the then-
794 existing provisions of s. 550.135 be paid directly to the
795 district school board, special district, or a municipal
796 government, such payment must continue until the local or
797 special law is amended or repealed. The state covenants with
798 holders of bonds or other instruments of indebtedness issued by
799 local governments, special districts, or district school boards
800 before July 1, 2000, that it is not the intent of this
801 subparagraph to adversely affect the rights of those holders or
802 relieve local governments, special districts, or district school
803 boards of the duty to meet their obligations as a result of
804 previous pledges or assignments or trusts entered into which
805 obligated funds received from the distribution to county
806 governments under then-existing s. 550.135. This distribution
807 specifically is in lieu of funds distributed under s. 550.135
808 before July 1, 2000.

809 b. The department shall distribute \$166,667 monthly
810 pursuant to s. 288.1162 to each applicant certified as a
811 facility for a new or retained professional sports franchise
812 pursuant to s. 288.1162. Up to \$41,667 shall be distributed

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813 monthly by the department to each certified applicant as defined
814 in s. 288.11621 for a facility for a spring training franchise.
815 However, not more than \$416,670 may be distributed monthly in
816 the aggregate to all certified applicants for facilities for
817 spring training franchises. Distributions begin 60 days after
818 such certification and continue for not more than 30 years,
819 except as otherwise provided in s. 288.11621. A certified
820 applicant identified in this sub-subparagraph may not receive
821 more in distributions than expended by the applicant for the
822 public purposes provided for in s. 288.1162(5) or s.
823 288.11621(3).

824 c. Beginning 30 days after notice by the Department of
825 Economic Opportunity to the Department of Revenue that an
826 applicant has been certified as the professional golf hall of
827 fame pursuant to s. 288.1168 and is open to the public, \$166,667
828 shall be distributed monthly, for up to 300 months, to the
829 applicant.

830 d. Beginning 30 days after notice by the Department of
831 Economic Opportunity to the Department of Revenue that the
832 applicant has been certified as the International Game Fish
833 Association World Center facility pursuant to s. 288.1169, and
834 the facility is open to the public, \$83,333 shall be distributed
835 monthly, for up to 168 months, to the applicant. This
836 distribution is subject to reduction pursuant to s. 288.1169. A
837 lump sum payment of \$999,996 shall be made, after certification
838 and before July 1, 2000.

839 e. Beginning 30 days after notice by the Department of
840 Economic Opportunity to the Department of Revenue that the
841 Department of Economic Opportunity has approved a plan developed

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842 by the Florida Institute of Technology for establishing a space
843 exploration research institute, the department must distribute
844 \$416,666 monthly to the Florida Institute of Technology for the
845 purpose of operating a space exploration research institute.
846 This amount represents sales and use taxes generated by visitor
847 activity at the Kennedy Space Center and the Cape Canaveral Air
848 Force Station. The Florida Institute of Technology shall develop
849 a plan for the space exploration research institute in
850 conjunction with Space Florida.

851 7. All other proceeds must remain in the General Revenue
852 Fund.

853 Section 22. If the governing body of a local governmental
854 entity existing as an independent special district that provides
855 water, wastewater, and sanitation services in a county having a
856 population of fewer than 600,000 determines that a new user or
857 the expansion of an existing user of one or more of its utility
858 systems will provide a significant benefit to the community in
859 terms of increased job opportunities, economies of scale, or
860 economic development in the area, the governing body may
861 authorize a reduction of its rates, fees, or charges for that
862 user for a specified period of time. A governing body that
863 exercises this power must do so by resolution that states the
864 anticipated economic benefit justifying the reduction as well as
865 the period of time that the reduction remains in place. The
866 local governmental entity may also purchase fuel, including, but
867 not limited to, diesel fuel and gasoline, under the same terms,
868 conditions, and exemptions enjoyed by municipalities and
869 counties.

870 Section 23. Except as otherwise expressly provided in this

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871 act, this act shall take effect July 1, 2012.