

FOR CONSIDERATION By the Committee on Budget

576-01536F-12

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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; requiring that the proceeds of certain  
144 admissions and sales taxes which are collected by a  
145 dealer selling items at the Kennedy Space Center or

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146 the Cape Canaveral Air Force Station be distributed to  
147 the Florida Institute of Technology and used for  
148 specified purposes; providing effective dates.

149

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

151

152 Section 1. Section 49 of chapter 2011-47, Laws of Florida,  
153 is repealed.

154 Section 2. Section 51 of chapter 2011-47, Laws of Florida,  
155 is repealed.

156 Section 3. Section 420.0005, Florida Statutes, is amended  
157 to read:

158 420.0005 State Housing Trust Fund; State Housing Fund.—

159 (1) There is hereby established in the State Treasury a  
160 separate trust fund to be named the "State Housing Trust Fund."  
161 There shall be deposited in the fund all moneys appropriated by  
162 the Legislature, or moneys received from any other source, for  
163 the purpose of this chapter, including all loan repayments,  
164 penalties, and other fees and charges accruing to the fund under  
165 this chapter, and all proceeds derived from the use of such  
166 moneys. The fund shall be administered by the Florida Housing  
167 Finance Corporation on behalf of the department, as specified in  
168 this chapter. Money deposited to the fund and appropriated by  
169 the Legislature must, notwithstanding the provisions of chapter  
170 ~~216 or s. 420.504(3)~~, be transferred quarterly in advance, to  
171 the extent available, or, if not so available, as soon as  
172 received into the State Housing Trust Fund, and subject to the  
173 provisions of s. 420.5092(6) (a) and (b) by the Chief Financial  
174 Officer to the corporation upon certification by the executive

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175 director of the Department of Economic Opportunity that the  
176 corporation is in compliance with the requirements of s.  
177 420.0006. The certification made by the executive director  
178 ~~secretary~~ shall also include the split of funds among programs  
179 administered by the corporation and the department as specified  
180 in chapter 92-317, Laws of Florida, as amended. Moneys advanced  
181 by the Chief Financial Officer must be deposited by the  
182 corporation into a separate fund established with a qualified  
183 public depository meeting the requirements of chapter 280 to be  
184 named the "State Housing Fund," or into the appropriate fund  
185 established with a qualified public depository meeting the  
186 requirements of chapter 280 as specified in the General  
187 Appropriations Act, and used for the purposes of this chapter.  
188 Administrative and personnel costs incurred in implementing this  
189 chapter may be paid from the State Housing Fund, as appropriated  
190 by the Legislature ~~but such costs may not exceed 5 percent of~~  
191 ~~the moneys deposited into such fund. To the State Housing Fund~~  
192 ~~shall be credited all loan repayments, penalties, and other fees~~  
193 ~~and charges accruing to such fund under this chapter. It is the~~  
194 ~~intent of this chapter that all loan repayments, penalties, and~~  
195 ~~other fees and charges collected be credited in full to the~~  
196 ~~program account from which the loan originated. Moneys in the~~  
197 State Housing Fund, or other funds specified in the General  
198 Appropriations Act, which are in excess of the amounts  
199 appropriated for the current fiscal year and are not  
200 contractually obligated ~~which are not currently needed for the~~  
201 ~~purposes of this chapter~~ shall be deposited with the State  
202 Treasury to the credit of the State Housing Trust Fund and may  
203 be invested in such manner as is provided for by statute. The

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204 interest received on any such investment shall be credited to  
205 the State Housing Trust Fund.

206 (2) Notwithstanding subsection (1), all funds received by  
207 the Florida Housing Finance Corporation from the United States  
208 Treasury or from any other source for the Hardest-Hit Fund  
209 program, established pursuant to the Emergency Economic  
210 Stabilization Act of 2008, may not be deposited into the State  
211 Treasury and are not subject to appropriation by the  
212 Legislature.

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

215 420.504 Agency ~~Public corporation~~; creation, membership,  
216 terms, expenses.—

217 (1) There is created within the Department of Economic  
218 Opportunity a state agency and instrumentality that shall be  
219 ~~public corporation and a public body corporate and politic, to~~  
220 be known as the "Florida Housing Finance Agency Corporation." ~~It~~  
221 ~~is declared to be the intent of and constitutional construction~~  
222 ~~by the Legislature that the Florida Housing Finance Corporation~~  
223 ~~constitutes an entrepreneurial public corporation organized to~~  
224 ~~provide and promote the public welfare by administering the~~  
225 ~~governmental function of financing or refinancing housing and~~  
226 ~~related facilities in Florida and that the corporation is not a~~  
227 ~~department of the executive branch of state government within~~  
228 ~~the scope and meaning of s. 6, Art. IV of the State~~  
229 ~~Constitution, but is functionally related to the Department of~~  
230 ~~Economic Opportunity in which it is placed. The executive~~  
231 ~~function of state government to be performed by the executive~~  
232 ~~director of the Department of Economic Opportunity in the~~



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233 ~~conduct of the business of the Florida Housing Finance~~  
234 ~~Corporation must be performed pursuant to a contract to monitor~~  
235 ~~and set performance standards for the implementation of the~~  
236 ~~business plan for the provision of housing approved for the~~  
237 ~~corporation as provided in s. 420.0006. This contract shall~~  
238 ~~include the performance standards for the provision of~~  
239 ~~affordable housing in Florida established in the business plan~~  
240 ~~described in s. 420.511.~~

241 ~~(2) The corporation is constituted as a public~~  
242 ~~instrumentality, and the exercise by the corporation of the~~  
243 ~~power conferred by this act is considered to be the performance~~  
244 ~~of an essential public function. The corporation is an agency~~  
245 ~~for the purposes of s. 120.52 and is a state agency for purposes~~  
246 ~~of s. 159.807(4). The corporation is subject to chapter 119,~~  
247 ~~subject to exceptions applicable to the corporation, and to the~~  
248 ~~provisions of chapter 286; however, the corporation shall be~~  
249 ~~entitled to provide notice of internal review committee meetings~~  
250 ~~for competitive proposals or procurement to applicants by mail,~~  
251 ~~facsimile, or publication on an Internet website, rather than by~~  
252 ~~means of publication. The corporation is not governed by chapter~~  
253 ~~607 or chapter 617, but by the provisions of this part. If for~~  
254 ~~any reason the establishment of the corporation is deemed in~~  
255 ~~violation of law, such provision is severable and the remainder~~  
256 ~~of this act remains in full force and effect.~~

257 ~~(2)(3) The corporation is a separate budget entity and is~~  
258 ~~not subject to control, supervision, or direction by the~~  
259 ~~Department of Economic Opportunity in any manner, including, but~~  
260 ~~not limited to, personnel, purchasing, transactions involving~~  
261 ~~real or personal property, and budgetary matters. The agency~~

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262 ~~corporation~~ shall consist of a board of directors composed of  
263 the executive director of the Department of Economic Opportunity  
264 as an ex officio and voting member, or a senior-level agency  
265 employee designated by the director, and eight members appointed  
266 by the Governor subject to confirmation by the Senate from the  
267 following:

268 (a) One citizen actively engaged in the residential home  
269 building industry.

270 (b) One citizen actively engaged in the banking or mortgage  
271 banking industry.

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

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

276 (e) One citizen actively engaged in the commercial building  
277 industry.

278 (f) One citizen who is a former local government elected  
279 official.

280 (g) Two citizens of the state who are not principally  
281 employed as members or representatives of any of the groups  
282 specified in paragraphs (a)-(f).

283 (3)~~(4)~~ (a) Members of the agency's board ~~corporation~~ shall  
284 be appointed for terms of 4 years, except that any vacancy shall  
285 be filled for the unexpired term.

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

290 (4)~~(5)~~ The chair and a vice chair shall be elected annually

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291 by the members thereof. Any additional officers, who need not be  
292 members, as may be deemed necessary by the members of the agency  
293 ~~corporation~~ may be designated and elected by the members  
294 thereof.

295 (5)~~(6)~~ A member of the agency's board may not ~~of directors~~  
296 ~~of the corporation~~ shall receive ~~no~~ compensation for his or her  
297 services but is ~~shall be~~ entitled to the necessary expenses,  
298 including per diem and travel expenses, incurred in the  
299 discharge of his or her duties, as provided by law.

300 (6)~~(7)~~ Each member of the agency's board ~~of directors of~~  
301 ~~the corporation~~ shall file full and public disclosure of  
302 financial interests at the times and places and in the same  
303 manner required of elected constitutional officers under s. 8,  
304 Art. II of the State Constitution and any law implementing s. 8,  
305 Art. II of the State Constitution.

306 (7)~~(8)~~ The agency ~~corporation~~ is an agency ~~a corporation~~  
307 primarily acting as an instrumentality of the state, within the  
308 meaning of s. 768.28.

309 Section 5. Present subsections (32) through (47) of section  
310 420.507, Florida Statutes, are redesignated as subsections (31)  
311 through (46), respectively, subsections (10), (28), and (30) of  
312 that section are amended, and present subsections (31) and (33)  
313 of that section are amended, to read:

314 420.507 Powers of the corporation.—The corporation shall  
315 have all the powers necessary or convenient to carry out and  
316 effectuate the purposes and provisions of this part, including  
317 the following powers which are in addition to all other powers  
318 granted by other provisions of this part:

319 (10) To contract for and to accept gifts, grants, loans, or

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320 other aid from the United States Government or any person or  
321 corporation which, except as otherwise expressly provided by  
322 law, shall be deposited into the State Housing Trust Fund or the  
323 Federal Grants Trust Fund, as appropriate, for expenditure as  
324 appropriated by the Legislature.

325 (28) To expend amounts appropriated by the Legislature  
326 ~~advanced~~ from the State Housing Trust Fund for the purposes of  
327 this part.

328 (30) To prepare and submit to the executive director  
329 ~~secretary~~ of the department a budget request for purposes of the  
330 corporation, which ~~request shall, notwithstanding the provisions~~  
331 ~~of chapter 216 and in accordance with s. 216.351,~~ contain a  
332 request for operational expenditures and separate requests for  
333 other authorized corporation programs. ~~The request shall not be~~  
334 ~~required to contain information on the number of employees,~~  
335 ~~salaries, or any classification thereof, and the approved~~  
336 ~~operating budget therefor need not comply with s. 216.181(8)-~~  
337 ~~(10).~~ The executive director ~~secretary~~ is authorized to include  
338 within the department's budget request the corporation's budget  
339 request in the form as authorized by this section.

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

343 ~~(32)-(33)~~ To receive federal funding in connection with the  
344 corporation's programs ~~directly~~ from the Federal Government,  
345 which, except as otherwise expressly provided by law, shall be  
346 deposited into the Federal Grants Trust Fund for expenditure as  
347 appropriated by the Legislature, and to receive federal funds  
348 for which a ~~no~~ corresponding program has not been created in

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349 statute and establish selection criteria for such funds by  
350 request for proposals or other competitive solicitation.

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

353 420.508 Special powers; multifamily and single-family  
354 projects.—The corporation shall have the special power to:

355 (5) Establish with a qualified depository meeting the  
356 requirements of chapter 280, a separate fund to be known as the  
357 "Florida Housing Finance Corporation Fund," to be administered  
358 by the corporation in accordance with the purposes of this  
359 chapter. All fees collected by the corporation ~~directly~~ from the  
360 Federal Government for administration of the United States  
361 Department of Housing and Urban Development Section 8 housing  
362 program, all annual administrative fees collected by trustees  
363 for bond programs and remitted to the corporation, all expense  
364 fees related to costs of bond issuance collected by trustees and  
365 remitted to the corporation, and all tax credit program fees  
366 must be deposited into the State Housing Trust Fund or the  
367 Federal Grants Trust Fund, as appropriate, in the State Treasury  
368 ~~fund~~. The Florida Housing Finance Corporation Fund shall be used  
369 ~~utilized~~ for the purposes of the corporation, including payment  
370 of administrative expenses. Expenditures from the Florida  
371 Housing Finance Corporation Fund shall ~~not~~ be ~~required to be~~  
372 included in the corporation's budget request and are ~~or be~~  
373 subject to appropriation by the Legislature.

374 Section 7. Paragraph (c) of subsection (6) and subsections  
375 (7) and (8) of section 420.5087, Florida Statutes, are amended  
376 to read:

377 420.5087 State Apartment Incentive Loan Program.—There is

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378 hereby created the State Apartment Incentive Loan Program for  
379 the purpose of providing first, second, or other subordinated  
380 mortgage loans or loan guarantees to sponsors, including for-  
381 profit, nonprofit, and public entities, to provide housing  
382 affordable to very-low-income persons.

383 (6) On all state apartment incentive loans, except loans  
384 made to housing communities for the elderly to provide for  
385 lifesafety, building preservation, health, sanitation, or  
386 security-related repairs or improvements, the following  
387 provisions shall apply:

388 (c) The corporation shall provide by rule for the  
389 establishment of a review committee composed of the department  
390 and corporation staff and shall establish by rule a scoring  
391 system for evaluation and competitive ranking of applications  
392 submitted in this program, including, but not limited to, the  
393 following criteria:

394 1. Tenant income and demographic targeting objectives of  
395 the corporation.

396 2. Targeting objectives of the corporation which will  
397 ensure an equitable distribution of loans between rural and  
398 urban areas.

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

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

405 a. Twenty percent of the units in the project for persons  
406 or families who have incomes that do not exceed 50 percent of

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407 the state or local median income, whichever is higher; or

408       b. Forty percent of the units in the project for persons or  
409 families who have incomes that do not exceed 60 percent of the  
410 state or local median income, whichever is higher, without  
411 requiring a greater amount of the loans as provided in this  
412 section.

413       5. Provision for tenant counseling.

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

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

420       8. Local government contributions and local government  
421 comprehensive planning and activities that promote affordable  
422 housing.

423       9. Project feasibility.

424       10. Economic viability of the project.

425       11. Commitment of first mortgage financing.

426       12. Sponsor's prior experience.

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

428       14. Projects that directly implement or assist welfare-to-  
429 work transitioning.

430       15. Projects that reserve units for extremely-low-income  
431 persons.

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

435       17. Job-creation rate of the developer and general

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436 contractor, as provided in s. 420.507(46) ~~s. 420.507(47)~~.

437 (7) There is authorized to be established by the  
438 corporation with a qualified public depository meeting the  
439 requirements of chapter 280 a separate fund to be named the  
440 "State Apartment Incentive Loan Fund," which shall be  
441 administered by the corporation according to the provisions of  
442 this program. ~~Any amounts held in the State Apartment Incentive~~  
443 ~~Loan Trust Fund for such purpose as of January 1, 1998, must be~~  
444 ~~transferred to the corporation for deposit in the State~~  
445 ~~Apartment Incentive Loan Fund and the State Apartment Incentive~~  
446 ~~Loan Trust Fund must be closed.~~ There shall be deposited into  
447 the fund moneys from the State Housing Trust Fund as created by  
448 s. 420.0005, or moneys received from any other source, for the  
449 purpose of this program ~~and all proceeds derived from the use of~~  
450 ~~such moneys.~~ However ~~In addition,~~ all loan repayments, proceeds  
451 from the sale of any property, and any other proceeds that would  
452 otherwise accrue pursuant to the activities conducted under the  
453 provisions of the State Apartment Incentive Loan Program shall  
454 be accounted for by the corporation and deposited into ~~in~~ the  
455 State Housing Trust Fund in the State Treasury fund and shall  
456 ~~not revert to the General Revenue Fund.~~ Expenditures from the  
457 State Apartment Incentive Loan Fund shall ~~not be required to be~~  
458 included in the corporation's budget request and are ~~or be~~  
459 subject to appropriation by the Legislature. If the construction  
460 period extends beyond a loan commitment for program funds is  
461 ~~entered into during~~ the state fiscal year for which the program  
462 funds are were appropriated, or the fiscal year in which the  
463 loan commitment is entered, the funds may ~~shall continue to be~~  
464 used in a subsequent fiscal year upon the approval of a budget



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465 amendment for such funds by the Legislative Budget Commission  
466 ~~made available for use during the entire construction period,~~  
467 ~~even if it extends beyond the state fiscal year in which the~~  
468 ~~loan commitment was entered.~~

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

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

489 420.5088 Florida Homeownership Assistance Program.—There is  
490 created the Florida Homeownership Assistance Program for the  
491 purpose of assisting low-income and moderate-income persons in  
492 purchasing a home as their primary residence by reducing the  
493 cost of the home with below-market construction financing, by

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494 reducing the amount of down payment and closing costs paid by  
495 the borrower to a maximum of 5 percent of the purchase price, or  
496 by reducing the monthly payment to an affordable amount for the  
497 purchaser. Loans shall be made available at an interest rate  
498 that does not exceed 3 percent. The balance of any loan is due  
499 at closing if the property is sold, refinanced, rented, or  
500 transferred, unless otherwise approved by the corporation.

501 (4) There is authorized to be established by the  
502 corporation with a qualified public depository meeting the  
503 requirements of chapter 280 the Florida Homeownership Assistance  
504 Fund to be administered by the corporation according to the  
505 provisions of this program. ~~Any amounts held in the Florida~~  
506 ~~Homeownership Assistance Trust Fund for such purposes as of~~  
507 ~~January 1, 1998, must be transferred to the corporation for~~  
508 ~~deposit in the Florida Homeownership Assistance Fund, whereupon~~  
509 ~~the Florida Homeownership Assistance Trust Fund must be closed.~~  
510 There shall be deposited in the fund moneys from the State  
511 Housing Trust Fund created by s. 420.0005~~7~~, or moneys received  
512 from any other source~~7~~, for the purpose of this program ~~and all~~  
513 ~~proceeds derived from the use of such moneys.~~ However In  
514 ~~addition~~, all unencumbered funds, loan repayments, proceeds from  
515 the sale of any property, and any other proceeds that would  
516 otherwise accrue pursuant to the activities of the programs  
517 described in this section shall be accounted for by the  
518 corporation and deposited into the State Housing Trust Fund in  
519 the State Treasury ~~transferred to this fund~~. In addition, all  
520 loan repayments, proceeds from the sale of any property, and any  
521 other proceeds that would otherwise accrue pursuant to the  
522 activities conducted under the provisions of the Florida

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523 Homeownership Assistance Program shall be accounted for by the  
524 corporation and deposited into ~~in~~ the State Housing Trust Fund  
525 in the State Treasury fund and shall not revert to the General  
526 Revenue Fund. Expenditures from the Florida Homeownership  
527 Assistance Fund shall ~~not be required to~~ be included in the  
528 corporation's budget request and are ~~or be~~ subject to  
529 appropriation by the Legislature.

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

532 420.5089 HOME Investment Partnership Program; HOME  
533 Investment Partnership Fund.—

534 (1) There is authorized to be established by the  
535 corporation with a qualified public depository meeting the  
536 requirements of chapter 280 the HOME Investment Partnership  
537 Fund, which shall be administered by the corporation according  
538 to the provisions of the HOME Investment Partnership Program  
539 which is hereby created. ~~Any amounts held in the HOME~~  
540 ~~Partnership Trust Fund for such purposes as of January 1, 1998,~~  
541 ~~must be transferred to the corporation for deposit in the HOME~~  
542 ~~Investment Partnership Fund, whereupon the HOME Partnership~~  
543 ~~Trust Fund must be closed.~~ There shall be deposited into the  
544 fund moneys appropriated from the State Housing Trust Fund.  
545 However ~~or moneys received from any other source for the purpose~~  
546 ~~of this program, and all proceeds derived from the use of such~~  
547 ~~moneys. In addition, all loan repayments, proceeds from the sale~~  
548 ~~of any property, and any other proceeds that would otherwise~~  
549 ~~accrue pursuant to the activities conducted under the provisions~~  
550 ~~of the HOME Investment Partnership Program shall be~~ accounted  
551 for by the corporation and deposited into the State Housing

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552 Trust Fund in the State Treasury fund and shall not revert to  
553 the General Revenue Fund. Expenditures from the HOME Investment  
554 Partnership Fund shall ~~not be required to~~ be included in the  
555 corporation's budget request and are ~~or be~~ subject to  
556 appropriation by the Legislature. If the construction period  
557 extends beyond the state fiscal year in which the funds are  
558 appropriated, the funds may be used in a subsequent fiscal year  
559 upon the approval of a budget amendment for such funds by the  
560 Legislative Budget Commission.

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

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

567 420.5091 HOPE Program.—

568 (1) The corporation may adopt rules to implement the HOPE  
569 Program, created by the 1990 National Affordable Housing Act, to  
570 make loans and grants, foreclose on any mortgage or security  
571 interest, or commence any legal action to protect the interest  
572 of the corporation and recover the amount of the unpaid  
573 principal, accrued interest, and fees. The corporation may  
574 acquire real and personal property or any interest in the  
575 property if that acquisition is necessary to protect any loan;  
576 sell, transfer, and convey any such property to a buyer without  
577 regard to the provisions of chapters 253 and 270; and, if that  
578 sale, transfer, or conveyance cannot be effected within a  
579 reasonable time, lease such property for occupancy by eligible  
580 persons. All sums recovered from the sale, transfer, conveyance,

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581 or lease of such property shall be deposited into the State  
582 Housing Trust ~~HOME Investment Partnership~~ Fund in the State  
583 Treasury.

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

587 420.5092 Florida Affordable Housing Guarantee Program.—

588 (3) Amounts on deposit in the State Housing Trust Fund or  
589 amounts received by the Florida Housing Finance Corporation as  
590 program funds from loan programs funded by state moneys may also  
591 be used to support the Florida Affordable Housing Guarantee  
592 Program. Such use, if any, is in addition to those purposes for  
593 which the State Housing Trust Fund was created, and such moneys  
594 shall be obligated and committed in accordance with the  
595 corporation certification provided for in subsection (6).

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

600 (13) Notwithstanding s. 420.0005 or any other law to the  
601 contrary, all guarantee fund earnings, recoveries, and other  
602 funds received in conjunction with the guarantee fund pursuant  
603 to this section shall be deposited into the guarantee fund and  
604 are not subject to appropriation by the Legislature.

605 Section 12. Section 420.525, Florida Statutes, is amended  
606 to read:

607 420.525 Housing Predevelopment Fund.—

608 (1) There is authorized to be established by the  
609 corporation with a qualified public depository meeting the

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610 requirements of chapter 280 a separate fund to be named the  
611 "Housing Predevelopment Fund" which shall be administered by the  
612 corporation according to the provisions of ss. 420.521-420.529.  
613 ~~Any amounts held in the Housing Predevelopment Trust Fund for~~  
614 ~~such purposes as of January 1, 1998, must be transferred to the~~  
615 ~~corporation for deposit in the Housing Predevelopment Fund,~~  
616 ~~whereupon the Housing Predevelopment Trust Fund must be closed.~~  
617 There shall be deposited into the fund moneys appropriated from  
618 the State Housing Trust Fund as created by s. 420.0005 or moneys  
619 received from any other source, for the purpose of this program  
620 and ~~all proceeds derived from the use of such moneys.~~  
621 Administrative and personnel costs incurred in implementing the  
622 provisions of ss. 420.521-420.529 may be paid from the fund.  
623 Expenditures from the Housing Predevelopment Fund shall ~~not be~~  
624 ~~required to~~ be included in the corporation's budget request and  
625 are or be subject to appropriation by the Legislature. If the  
626 predevelopment period extends beyond the state fiscal year in  
627 which the funds are appropriated, the funds may be used in a  
628 subsequent fiscal year upon the approval of a budget amendment  
629 for such funds by the Legislative Budget Commission.

630 (2) All unencumbered funds, loan repayments, proceeds from  
631 the sale of any property, existing funds remaining in the  
632 following programs, and any other proceeds that would otherwise  
633 accrue pursuant to the activities conducted under this program  
634 and the provisions of the following programs shall be accounted  
635 for by the corporation and deposited into ~~in~~ the State Housing  
636 Trust Fund in the State Treasury fund and shall not revert to  
637 ~~the General Revenue Fund:~~

638 (a) The Rural Housing Land Acquisition and Site Development

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639 Act;

640 (b) The Farmworker Housing Assistance Act; and

641 (c) The Community-Based Organization Loan Program created  
642 by the Affordable Housing Planning and Community Assistance Act.643 Section 13. Subsection (5) of section 420.526, Florida  
644 Statutes, is amended to read:645 420.526 Predevelopment Loan Program; loans and grants  
646 authorized; activities eligible for support.—647 (5) Any funds paid out of the Housing Predevelopment Fund  
648 for activities under ss. 420.521-420.529 which are reimbursed to  
649 the sponsor from another source shall be accounted for by the  
650 corporation and repaid to the State Housing Trust Fund in the  
651 State Treasury for expenditure as appropriated by the  
652 Legislature ~~fund~~.653 Section 14. Section 420.529, Florida Statutes, is amended  
654 to read:655 420.529 Default by sponsor.—If a default on a loan occurs,  
656 the corporation may foreclose on any mortgage or security  
657 interest or commence any legal action to protect the interest of  
658 the corporation or the fund and recover the amount of the unpaid  
659 principal, accrued interest, and fees on behalf of the fund. The  
660 corporation may also acquire real and personal property or any  
661 interest in the property if such acquisition is necessary or  
662 appropriate to protect any loan; to sell, transfer, and convey  
663 any such property to a buyer without regard to the provisions of  
664 chapters 253 and 270; and, if such sale, transfer, or conveyance  
665 cannot be effected within a reasonable time, to lease such  
666 property for occupancy by eligible persons. All sums recovered  
667 from the sale, transfer, conveyance, or lease of such property

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668 shall be accounted for by the corporation and deposited into the  
669 State Housing Trust Predevelopment Fund in the State Treasury  
670 for expenditure as appropriated by the Legislature.

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

673 420.9079 Local Government Housing Trust Fund.—

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

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

691 443.036 Definitions.—As used in this chapter, the term:

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



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

699 445.009 One-stop delivery system.—

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

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

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

714 1003.4285 Standard high school diploma designations.—Each  
715 standard high school diploma shall include, as applicable:

716 ~~(4) A designation reflecting a Florida Ready to Work~~  
717 ~~Credential in accordance with s. 445.06.~~

718 Section 20. The Legislature recognizes that there is a need  
719 to conform the Florida Statutes to the policy decisions  
720 reflected in this act. Therefore, the Department of Economic  
721 Opportunity is directed to prepare draft legislation to conform  
722 the Florida Statutes to the provisions of this act. The  
723 department shall submit the draft legislation to the Governor,  
724 the President of the Senate, and the Speaker of the House of  
725 Representatives on or before October 1, 2012.

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726           Section 21. The proceeds of taxes imposed under ss. 212.04  
727 and 212.05, Florida Statutes, which are collected and remitted  
728 by a dealer that is contracted or subcontracted by the National  
729 Aeronautics and Space Administration to sell items subject to  
730 the tax under s. 212.04 or s. 212.05, Florida Statutes, at the  
731 Kennedy Space Center or at the Cape Canaveral Air Force Station  
732 and that conducts business at these facilities shall be  
733 distributed to the Florida Institute of Technology for the  
734 purpose of operating a space exploration research institute.

735           Section 22. Except as otherwise expressly provided in this  
736 act, this act shall take effect July 1, 2012.