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LEGISLATIVE ACTION

Senate

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House

Floor: WD/2R

04/25/2013 11:22 AM

Senator Soto moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. (1) The nonrecurring sum of \$58,580,474 is appropriated from the Local Government Housing Trust Fund to the Department of Economic Opportunity for the 2013-2014 fiscal year for transfer to the Florida Housing Finance Corporation (FHFC) to fund the State Housing Initiative Program (SHIP). The FHFC shall allocate the funding to all eligible counties and cities. Except as otherwise specified in this section, local governments must use this funding according to the SHIP statute and rules and within the parameters of their adopted local housing



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14 assistance plan.

15 (2) All funding appropriated in this section must be used
16 for the following strategies that assist households and
17 communities that have been affected by foreclosures, using
18 existing housing stock:

19 (a) Approximately \$28 million must be used in assisting
20 with purchases of existing housing, with or without
21 rehabilitation.

22 (b) Approximately \$20 million must be used toward rental
23 deposit assistance for homeowners who have lost their home in
24 foreclosure.

25 (c) Approximately \$10 million must be used toward providing
26 rental deposit assistance for seniors who have lost their home
27 due to foreclosure.

28 (3) Of the funding provided in this section, each local
29 government must use a minimum of 20 percent of its allocation to
30 serve persons with special needs as defined in s. 420.0004,
31 Florida Statutes. Before this portion of the allocation is
32 released by FHFC, a local government must submit an existing or
33 new local housing assistance plan strategy for this purpose to
34 the FHFC for approval to ensure that it meets these
35 specifications. The first priority of these special needs funds
36 must be to use them for persons with developmental, hearing,
37 visual, or mobility disabilities, with an emphasis on home
38 modifications, including technological enhancements and devices,
39 which will allow homeowners to remain independent in their own
40 homes and maintain their homeownership.

41 (4) Local governments may not use more than 3 percent of
42 their allocations under this section for administrative costs.



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43 Section 2. The nonrecurring sum of \$10 million is
44 appropriated from the State Housing Trust Fund to the Department
45 of Economic Opportunity for the 2013-2014 fiscal year for
46 transfer to the Florida Housing Finance Corporation to fund the
47 rehabilitation and preservation of public housing units provided
48 under chapter 421 and to specifically target the units of low-
49 income and very-low-income persons affected by foreclosure for
50 upgrades and improvements. The funding must be administered as a
51 grant program.

52 Section 3. (1) The nonrecurring sum of \$40 million is
53 appropriated from the State Housing Trust Fund to the Department
54 of Economic Opportunity for the 2013-2014 fiscal year for
55 transfer to the Florida Housing Finance Corporation (FHFC) to
56 fund the State Apartment Incentive Loan Program (SAIL). This
57 appropriation must be spent over the next 3 years for
58 administrative expenses associated with implementing this act,
59 as follows: \$16.67 million in each of the first two years and
60 \$16.66 million in the third year.

61 (2) Each SAIL development that receives funds under this
62 section must include up to 15 percent but not less than 5
63 percent of its units designed, constructed, and targeted for
64 individuals with developmental, hearing, visual, or mobility
65 disabilities. Each development shall be required to enter into
66 agreements with the local Center for Independent Living, Agency
67 for Persons with Disabilities, or other such agency approved by
68 FHFC, for the purpose of coordinating services and housing for
69 individuals with disabilities.

70 (3) Affordable housing units in each development which are
71 in addition to those required under subsection (2) shall provide



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72 reduced-rent units to serve tenants who are elderly, as defined
73 in s. 420.0004, Florida Statutes, and tenants who are extremely-
74 low-income persons (ELI), as defined in s. 420.0004, Florida
75 Statutes. To the extent possible, ELI units should be part of
76 FHFC's existing Link Initiative in which developers set aside
77 units for special needs households, including households with
78 persons affected by foreclosure, persons with disabilities,
79 homeless families, youth aging out of foster care, frail elders,
80 and survivors of domestic violence who are receiving community-
81 based supportive services and who are referred by a supportive
82 services agency in the community where the property is located.

83 Section 4. The nonrecurring sum of \$9 million is
84 appropriated from the State Housing Trust Fund to the Department
85 of Economic Opportunity for the 2013-2014 fiscal year for
86 transfer to the Florida Housing Finance Corporation. This
87 appropriation must be spent in annual \$3 million increments over
88 the next 3 years for administrative expenses associated with
89 implementing this act.

90 Section 5. The nonrecurring sum of \$12 million is
91 appropriated from the State Housing Trust Fund to the Department
92 of Economic Opportunity for the 2013-2014 fiscal year for
93 transfer to the Florida Housing Finance Corporation for the
94 Florida Hardest-Hit Fund. This appropriation must be spent in
95 annual \$4 million increments over the next 3 years for
96 administrative expenses associated with implementing this
97 section.

98 Section 6. The nonrecurring sum of \$15 million is
99 appropriated from the State Housing Trust Fund to the Department
100 of Economic Opportunity for the 2013-2014 fiscal year for



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101 transfer to the Florida Housing Finance Corporation (FHFC) to
102 fund a competitive grant program to provide housing for homeless
103 persons affected by the foreclosure crisis. The FHFC shall award
104 funds on a competitive basis to private nonprofit organizations
105 to purchase and renovate existing houses to be used by
106 extremely-low-income homeless persons who have been affected by
107 the foreclosure crisis. Funds may also be awarded to private
108 nonprofit organizations to construct small specialty housing of
109 10 units or fewer for homeless families affected by the
110 foreclosure crisis. This appropriation must be spent in annual
111 \$5 million increments over the next 3 years for administrative
112 expenses associated with implementing this section.

113 Section 7. The nonrecurring sum of \$18 million is
114 appropriated from the State Housing Trust Fund to the Department
115 of Economic Opportunity for the 2013-2014 fiscal year for
116 transfer to the Florida Housing Finance Corporation for
117 foreclosure counseling programs. This appropriation must be
118 spent in annual \$6 million increments over the next 3 years.

119 Section 8. The nonrecurring sum of \$36 million is
120 appropriated from the General Revenue Fund to the Department of
121 Legal Affairs, Office of the Attorney General, for the 2013-2014
122 fiscal year to contract with regional legal aid service
123 providers to provide legal aid services to low-income and
124 moderate-income homeowners facing foreclosure. Administrative
125 costs or fees may not be collected or used by the Office of the
126 Attorney General, any association, or any foundation for
127 providing such services with the funds appropriated in this
128 section. This appropriation must be spent in annual \$12 million
129 increments over the next 3 years.



130 Section 9. The Legislature finds that there is a need for a
131 promotional campaign to increase consumer awareness of
132 affordable housing availability and housing assistance
133 opportunities as outlined in this act. To this end, the Office
134 of the Attorney General may establish, coordinate, and promote
135 such an advertising campaign, which may include public relations
136 activities and contracting with media representatives for the
137 purpose of dispersing promotional materials and providing
138 opportunities for consumer assistance. The nonrecurring sum of
139 \$2 million is appropriated from the General Revenue Fund to the
140 Department of Legal Affairs, Office of the Attorney General, for
141 the 2013-2014 fiscal year for this purpose.

142 Section 10. The appropriations in this act are contingent
143 upon the deposit of \$200,080,474 into the state treasury from
144 the escrow account created as a result of the consent judgment
145 entered into by the Florida Attorney General on April 4, 2012,
146 in the case of *United States of America v. Bank of America*
147 *Corp.*, No. 305 12-0361-RMC, in the United States District Court
148 for the District of Columbia. Of the \$200,080,474, the following
149 amounts shall be deposited into the specified funds in the state
150 treasury: \$58,580,474 shall be deposited into the Local
151 Government Housing Trust Fund in the Department of Economic
152 Opportunity; \$104 million shall be deposited into the State
153 Housing Trust Fund in the Department of Economic Opportunity;
154 and \$38 million shall be deposited into the General Revenue
155 Fund.

156 Section 11. This act shall take effect upon becoming a law.

157

158 ===== T I T L E A M E N D M E N T =====



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159 And the title is amended as follows:

160 Delete everything before the enacting clause
161 and insert:

162 A bill to be entitled
163 An act relating to funding from the National Mortgage
164 Settlement; providing appropriations from the Local
165 Government Housing Trust Fund and the State Housing
166 Trust Fund to the Department of Economic Opportunity
167 for specified purposes; providing appropriations from
168 the General Revenue Fund to the Department of Legal
169 Affairs, Office of the Attorney General, for specified
170 purposes and providing legislative findings; providing
171 that the appropriations of this act are contingent
172 upon the deposit of a specified sum into the state
173 treasury as a result of a specified consent judgment;
174 providing an effective date.