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LEGISLATIVE ACTION

Senate

House

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Floor: 2/F/2R

04/25/2013 11:41 AM

Senator Soto moved the following:

1 **Senate Substitute for Amendment (754392) (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

6 Section 1. (1) The nonrecurring sum of \$58,080,474 is
7 appropriated from the Local Government Housing Trust Fund to the
8 Department of Economic Opportunity for the 2013-2014 fiscal year
9 for transfer to the Florida Housing Finance Corporation (FHFC)
10 to fund the State Housing Initiative Program (SHIP). The FHFC
11 shall allocate the funding to all eligible counties and cities.
12 Except as otherwise specified in this section, local governments
13 must use this funding according to the SHIP statute and rules



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14 and within the parameters of their adopted local housing
15 assistance plan.

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

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

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

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

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

42 (4) Local governments may not use more than 3 percent of



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43 their allocations under this section for administrative costs.

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

53 Section 3. (1) The nonrecurring sum of \$40 million is
54 appropriated from the State Housing Trust Fund to the Department
55 of Economic Opportunity for the 2013-2014 fiscal year for
56 transfer to the Florida Housing Finance Corporation (FHFC) to
57 fund the State Apartment Incentive Loan Program (SAIL). This
58 appropriation must be spent over the next 3 years for
59 administrative expenses associated with implementing this act,
60 as follows: \$16.67 million in each of the first two years and
61 \$16.66 million in the third year.

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

71 (3) Affordable housing units in each development which are



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72 in addition to those required under subsection (2) shall provide
73 reduced-rent units to serve tenants who are elderly, as defined
74 in s. 420.0004, Florida Statutes, and tenants who are extremely-
75 low-income persons (ELI), as defined in s. 420.0004, Florida
76 Statutes. To the extent possible, ELI units should be part of
77 FHFC's existing Link Initiative in which developers set aside
78 units for special needs households, including households with
79 persons affected by foreclosure, persons with disabilities,
80 homeless families, youth aging out of foster care, frail elders,
81 and survivors of domestic violence who are receiving community-
82 based supportive services and who are referred by a supportive
83 services agency in the community where the property is located.

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

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

99 Section 6. The nonrecurring sum of \$15 million is
100 appropriated from the State Housing Trust Fund to the Department



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101 of Economic Opportunity for the 2013-2014 fiscal year for
102 transfer to the Florida Housing Finance Corporation (FHFC) to
103 fund a competitive grant program to provide housing for homeless
104 persons affected by the foreclosure crisis. The FHFC shall award
105 funds on a competitive basis to private nonprofit organizations
106 to purchase and renovate existing houses to be used by
107 extremely-low-income homeless persons who have been affected by
108 the foreclosure crisis. Funds may also be awarded to private
109 nonprofit organizations to construct small specialty housing of
110 10 units or fewer for homeless families affected by the
111 foreclosure crisis. This appropriation must be spent in annual
112 \$5 million increments over the next 3 years for administrative
113 expenses associated with implementing this section.

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

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



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130 increments over the next 3 years.

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

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

157 Section 11. This act shall take effect upon becoming a law.
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159 ===== T I T L E A M E N D M E N T =====

160 And the title is amended as follows:

161 Delete everything before the enacting clause

162 and insert:

163 A bill to be entitled

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