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LEGISLATIVE ACTION

Senate

House

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Floor: 1/AD/2R

04/25/2013 11:44 AM

Senator Gardiner moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Notwithstanding the funding match provisions in s. 1009.984(2), Florida Statutes, the nonrecurring sum of \$9,117,895 is appropriated from the General Revenue Fund to the Florida Prepaid Tuition Scholarship Program as established in s. 1009.984, Florida Statutes, in order for Take Stock in Children, Inc., to purchase 2-year dormitory residence advance payment contracts for eligible students who are in grades 10 and 11 during the 2012-2013 school year and have been selected to participate in the scholarship program.



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14 Section 2. The nonrecurring sum of \$5,262,579 is
15 appropriated from the General Revenue Fund to the state courts
16 system to provide technology solutions that expedite foreclosure
17 cases through the judicial process. Such technology solutions
18 must enable judges and staff to effectively use electronic
19 documents when disposing of foreclosure cases, produce orders
20 electronically, provide for electronic calendaring, serve orders
21 electronically, and generate case management reports. All
22 technology enhancements to expedite mortgage foreclosure cases
23 must be completed in accordance with the standards set by the
24 Florida Court Technology Commission regarding functionality as
25 outlined in the Case Processing Application Standards.

26 Section 3. The nonrecurring sum of \$16 million is
27 appropriated from the General Revenue Fund to the state courts
28 system to provide supplemental resources, including, but not
29 limited to, additional senior judge days and temporary case
30 management staff in the trial courts to reduce the backlog of
31 pending foreclosure cases.

32 Section 4. The nonrecurring sum of \$9.7 million is
33 appropriated from the General Revenue Fund to the clerks of the
34 court to enhance levels of service to assist and support the
35 courts in expediting the processing of backlogged foreclosure
36 cases.

37 Section 5. The nonrecurring sum of \$10 million is
38 appropriated from the General Revenue Fund to the Office of the
39 Attorney General, who must contract directly with regional legal
40 aid service providers to provide legal aid services to low-
41 income and moderate-income homeowners facing foreclosure.
42 Administrative costs or fees may not be collected or used by the



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43 Office of the Attorney General, any association, or any
44 foundation for providing services with the funds appropriated in
45 this section.

46 Section 6. The nonrecurring sum of \$10 million is
47 appropriated from the General Revenue Fund in a fixed capital
48 outlay appropriation category to the Department of Children and
49 Families for capital improvement grants to certified domestic
50 violence centers in accordance with s. 39.9055, Florida
51 Statutes. The Florida Coalition Against Domestic Violence shall
52 serve as the lead entity to create a competitive request for
53 proposals with the primary focus of increasing bed space and
54 expanding capacity of emergency shelter services. Award
55 decisions shall be completed within 60 days after the effective
56 date of this act.

57 Section 7. (1) The nonrecurring sum of \$20 million is
58 appropriated from the General Revenue Fund to the Department of
59 Economic Opportunity to provide a grant to Habitat for Humanity
60 of Florida for the acquisition and rehabilitation or
61 reconstruction of existing housing stock to provide affordable
62 housing to low-income applicants. Habitat for Humanity of
63 Florida may use up to 1 percent of the grant award for direct
64 administrative costs.

65 (2) Habitat for Humanity of Florida shall provide
66 compliance and oversight for the grant award and shall:

67 (a) Provide to the Department of Economic Opportunity the
68 name and contact information for the Habitat for Humanity of
69 Florida compliance officer, to be updated within 10 business
70 days after any change.

71 (b) Develop a request for proposals to be released to the



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72 58 Habitat for Humanity of Florida affiliates no later than 60
73 days after the effective date of this act. The request for
74 proposals shall be limited to projects that undertake the
75 acquisition and rehabilitation or reconstruction of existing
76 housing stock and provide affordable housing to low-income
77 applicants.

78 (c) Use the grant award within 2 years, the start date of
79 which is 30 days after the request for proposals is released to
80 the 58 Habitat for Humanity of Florida affiliates.

81 (d) Provide the 58 Habitat for Humanity of Florida
82 affiliates a minimum of 30 days to respond to the request for
83 proposals.

84 (e) Establish a volunteer committee of at least six members
85 from any of the 58 Habitat for Humanity of Florida affiliates to
86 evaluate and rank project proposals received and determine
87 project awards based on that evaluation and ranking.

88 1. Project awards shall be provided on a cost-reimbursement
89 basis for work completed and paid for by the Habitat for
90 Humanity of Florida affiliate for a qualifying home that was
91 acquired and rehabilitated or reconstructed for a low-income
92 applicant.

93 2. The Habitat for Humanity of Florida compliance officer
94 is responsible for verifying that all project work is completed
95 and has been paid for by the Habitat for Humanity of Florida
96 affiliate before a cost reimbursement.

97 3. A Habitat for Humanity of Florida affiliate may not
98 receive cost reimbursements in excess of 10 percent of the total
99 appropriation, except that an affiliate may receive cost
100 reimbursements in excess of 10 percent during the second year if



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101 the only project proposals remaining are from Habitat for
102 Humanity of Florida affiliates that have reached the 10-percent
103 cap.

104 (f) Provide technical support and assistance for the use of
105 grant award funds by the Habitat for Humanity of Florida
106 affiliates, which shall not exceed 2 percent of the grant award.

107 (g) Submit a quarterly progress report to the Department of
108 Economic Opportunity within 30 days after the end of each
109 quarter until all grant award funds have been expended. The
110 quarterly progress report shall include, but need not be limited
111 to:

112 1. Events occurring during the quarter, or anticipated to
113 occur in the near future, which affect the ability of Habitat
114 for Humanity of Florida to use the grant award for the intended
115 purpose pursuant to this section.

116 2. Action plans for addressing any policy and
117 administrative issues.

118 3. Habitat for Humanity of Florida efforts related to
119 collecting and verifying data.

120 4. Data collected and verified, such as the number of
121 existing housing stock acquired and rehabilitated or
122 reconstructed for the quarter and to date, the number of
123 requests for proposals received, and income data on applicants
124 who are using the provided housing.

125 5. Grant award data disaggregated by recipient and
126 activity, such as technical support and assistance, direct
127 administrative costs, housing acquisition, and housing
128 rehabilitation or reconstruction.

129 6. Activities related to technical support and assistance.



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130 7. The name of each volunteer committee member and his or
131 her Habitat for Humanity of Florida affiliate.

132 8. Progress toward meeting the goal of spending the full
133 grant award within 2 years, the start date of which is 30 days
134 after the request for proposals is released to the 58 Habitat
135 for Humanity of Florida affiliates.

136 (h) Submit annually by September 1 to the Department of
137 Economic Opportunity a financial audit performed by an
138 independent certified public accountant for the most recently
139 completed fiscal year which establishes that no material
140 weaknesses or instances of material noncompliance exist.

141 (3) The Department of Economic Opportunity shall submit a
142 copy of each financial audit from Habitat for Humanity of
143 Florida to the President of the Senate and the Speaker of the
144 House of Representatives within 15 days after its receipt.

145 (4) Any funds that are not expended or encumbered by June
146 30, 2015, and any funds that were deemed encumbered on June 30,
147 2015, and not expended by September 30, 2015, shall be repaid by
148 Habitat for Humanity of Florida to the Department of Financial
149 Services for deposit into the State Housing Trust Fund within
150 the Department of Economic Opportunity. A final audit shall be
151 submitted to the Department of Economic Opportunity by January
152 30, 2016, for any expenditures made after June 30, 2015.

153 Section 8. The nonrecurring sum of \$50 million is
154 appropriated from the General Revenue Fund to the Department of
155 Economic Opportunity for transfer to the Florida Housing Finance
156 Corporation (FHFC) to provide funding to reduce rents on new or
157 existing rental units through the State Apartment Incentive Loan
158 Program created under s. 420.5087, Florida Statutes.



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159 Notwithstanding s. 420.5087, Florida Statutes, \$25 million of
160 these funds shall be reserved for rental units for the elderly
161 as defined in s. 420.0004, Florida Statutes, and \$25 million
162 shall be reserved for rental units for extremely-low-income
163 persons as defined in s. 420.0004, Florida Statutes.

164 Section 9. (1) The nonrecurring sum of \$10 million is
165 appropriated from the General Revenue Fund to the Department of
166 Economic Opportunity for transfer to the Florida Housing Finance
167 Corporation (FHFC) to fund the construction or rehabilitation of
168 units through the State Apartment Incentive Loan Program (SAIL).

169 (2) Each SAIL development that receives funds under this
170 section must include up to 25 percent, but not less than 10
171 percent, of its units designed, constructed, and targeted for
172 persons with developmental disabilities as defined in s.
173 393.063, Florida Statutes. Each development shall be required to
174 enter into an agreement with at least one designated supportive
175 services lead agency, such as the local Center for Independent
176 Living, the Agency for Persons with Disabilities, or any other
177 such agency approved by FHFC, for the purpose of coordinating
178 services and housing for persons with disabilities.

179 Section 10. (1) The nonrecurring sum of \$40 million is
180 appropriated from the General Revenue Trust Fund to the
181 Department of Economic Opportunity for transfer to the Florida
182 Housing Finance Corporation (FHFC) to fund the State Housing
183 Initiative Program (SHIP). The FHFC shall allocate the funding
184 to all eligible counties and cities. Except as otherwise
185 specified in this section, local governments must use this
186 funding according to the SHIP statute and rules and within the
187 parameters of their adopted local housing assistance plan.



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188 (2) All funding appropriated under this section must be
189 targeted for one or more of the following strategies:

190 (a) Rehabilitating or modifying owner-occupied houses,
191 including blighted homes or neighborhoods.

192 (b) Assisting with purchases of existing housing, with or
193 without rehabilitation.

194 (c) Providing housing counseling services.

195 (d) Providing lease-purchase assistance.

196 (e) Implementing strategies approved by FHFC which are
197 related to assisting households and communities impacted by
198 foreclosures, using existing housing stock.

199 (3) Of the funding provided in this section, each local
200 government must use a minimum of 20 percent of its allocation to
201 serve persons with special needs as defined in s. 420.0004,
202 Florida Statutes. Before this portion of the allocation is
203 released by FHFC, a local government must certify that it will
204 meet this requirement through existing approved strategies in
205 the local assistance plan or submit a new local housing
206 assistance plan strategy for this purpose to the FHFC for
207 approval to ensure that it meets these specifications. The first
208 priority of these special needs funds must be to use them for
209 persons with developmental disabilities as defined in s.
210 393.063, Florida Statutes, with an emphasis on home
211 modifications, including technological enhancements and devices,
212 which will allow homeowners to remain independent in their own
213 homes and maintain their homeownership.

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

216 Section 11. The nonrecurring sum of \$10 million is



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217 appropriated from the General Revenue Fund to the Department of
218 Economic Opportunity for transfer to the Florida Housing Finance
219 Corporation (FHFC) to fund a competitive grant program to
220 provide housing for homeless persons. The FHFC shall award funds
221 on a competitive basis to private nonprofit organizations to
222 purchase and renovate existing houses and to construct small
223 specialty housing of 15 units or fewer for homeless individuals
224 or families, with priority given to extremely-low-income
225 households.

226 Section 12. The nonrecurring sum of \$10 million is
227 appropriated from the General Revenue Fund to the Department of
228 Economic Opportunity for transfer to the Florida Housing Finance
229 Corporation (FHFC) to fund a competitive grant program for
230 housing developments designed, constructed, and targeted for
231 persons with developmental disabilities as defined in s.
232 393.063, Florida Statutes. Private nonprofit organizations whose
233 primary mission includes serving persons with developmental
234 disabilities as defined in s. 393.063, Florida Statutes, shall
235 be eligible for these grant funds. Housing projects funded with
236 these grants may include community residential homes as defined
237 in s. 419.001, Florida Statutes, or individual housing units,
238 and may include new construction and renovation of existing
239 housing units. In evaluating proposals for these funds, the FHFC
240 shall consider: the extent to which funds from local and other
241 sources will be used by the applicant to leverage the grant
242 funds provided under this section; employment opportunities and
243 supports that will be available to residents of the proposed
244 housing; a plan for residents to effectively and efficiently
245 access community-based services, resources, and amenities; and



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partnerships with other supportive services agencies.
Section 13. Except as otherwise provided in section 7 of
this act, notwithstanding s. 216.301, Florida Statutes, and
pursuant to s. 216.351, Florida Statutes, entities to which
funds are appropriated pursuant to this act may expend such
funds through the 2014-2015 fiscal year. Any funds that are
encumbered by June 30, 2015, must be disbursed by September 30,
2015. On September 30, 2015, any funds that remain undisbursed
must be transferred to the State Housing Trust Fund within the
Department of Economic Opportunity.

Section 14. This act shall take effect upon the deposit of
\$200,080,474 into the General Revenue Fund from the escrow
account created as a result of the consent judgment entered into
by the Attorney General on April 4, 2012, in the case of *United*
States of America, et al. v. Bank of America Corp., et al., No.
12-0361-RMC, in the United States District Court for the
District of Columbia.

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

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled
An act relating to funding from the national mortgage
settlement; providing an appropriation from the
General Revenue Fund to the Florida Prepaid Tuition
Scholarship Program to purchase 2-year dormitory
residence advance payment contracts for certain
students; providing an appropriation from the General



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275 Revenue Fund to the state courts system to provide
276 technology solutions to expedite foreclosure cases
277 through the judicial process; providing an
278 appropriation from the General Revenue Fund to the
279 state courts system to provide certain supplemental
280 resources; providing an appropriation from the General
281 Revenue Fund to the clerks of the court to assist and
282 support the courts in expediting the processing of
283 backlogged foreclosure cases; providing an
284 appropriation from the General Revenue Fund to the
285 Office of the Attorney General to provide legal aid
286 services to low- and moderate-income homeowners facing
287 foreclosure; providing an appropriation from the
288 General Revenue Fund to the Department of Children and
289 Families to fund capital improvement grants for
290 certified domestic violence centers; providing an
291 appropriation from the General Revenue Fund to the
292 Department of Economic Opportunity to provide a grant
293 to Habitat for Humanity of Florida for certain
294 purposes; providing requirements for Habitat for
295 Humanity of Florida; providing financial audit
296 reporting requirements; requiring certain funds to be
297 repaid by Habitat for Humanity of Florida to the
298 Department of Financial Services for deposit into the
299 State Housing Trust Fund; providing an appropriation
300 from the General Revenue Fund to the Florida Housing
301 Finance Corporation to provide funding to reduce rents
302 on new or existing rental units through the State
303 Apartment Incentive Loan Program; providing an



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304 appropriation from the General Revenue Fund to the
305 Department of Economic Opportunity for specified
306 purposes; providing requirements for the expenditure,
307 disbursement, and transfer to the State Housing Trust
308 Fund of certain appropriated funds; providing a
309 contingent effective date.