

By the Committee on Appropriations

576-03532-13

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1 A bill to be entitled

2 An act relating to funding from the National Mortgage
3 Settlement; providing an appropriation from the Local
4 Government Housing Trust Fund and the State Housing
5 Trust Fund to the Department of Economic Opportunity
6 for specified purposes; providing appropriations from
7 the General Revenue Fund to the State Court System for
8 specified purposes; providing appropriations from the
9 General Revenue Fund to the Department of Legal
10 Affairs, Office of the Attorney General, for specified
11 purposes and providing legislative findings; providing
12 that the appropriations of this act are contingent
13 upon the deposit of a specified sum into the state
14 treasury as a result of a specified consent judgment;
15 providing an effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. (1) The nonrecurring sum of \$70 million is
20 appropriated from the Local Government Housing Trust Fund to the
21 Department of Economic Opportunity for the 2013-2014 fiscal year
22 for transfer to the Florida Housing Finance Corporation (FHFC)
23 to fund the State Housing Initiative Program (SHIP). The FHFC
24 shall allocate the funding to all eligible counties and cities.
25 Except as otherwise specified in this section, local governments
26 must use this funding according to the SHIP statute and rules
27 and within the parameters of their adopted local housing
28 assistance plan.

29 (2) All funding appropriated in this section must be

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30 targeted for one or more of the following strategies:

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

33 (b) Assisting with purchases of existing housing, with or
34 without rehabilitation.

35 (c) Providing housing counseling services.

36 (d) Providing lease-purchase assistance.

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

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

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

55 Section 2. (1) The nonrecurring sum of \$65 million is
56 appropriated from the State Housing Trust Fund to the Department
57 of Economic Opportunity for the 2013-2014 fiscal year for
58 transfer to the Florida Housing Finance Corporation (FHFC) to

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59 fund the State Apartment Incentive Loan Program (SAIL).

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

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

82 Section 3. The nonrecurring sum of \$3 million is
83 appropriated from the State Housing Trust Fund to the Department
84 of Economic Opportunity for the 2013-2014 fiscal year for
85 transfer to the Florida Housing Finance Corporation for
86 administrative expenses associated with implementing the
87 provisions of this act.

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88 Section 4. The nonrecurring sum of \$10 million is
89 appropriated from the State Housing Trust Fund to the Department
90 of Economic Opportunity for the 2013-2014 fiscal year for
91 transfer to the Florida Housing Finance Corporation (FHFC) to
92 fund a competitive grant program to provide housing for homeless
93 persons. The FHFC shall award funds on a competitive basis to
94 private nonprofit organizations to purchase and renovate
95 existing houses to be used by extremely-low-income homeless
96 individuals. Funds may also be awarded to private nonprofit
97 organizations to construct small specialty housing of 10 units
98 or fewer for homeless families.

99 Section 5. The nonrecurring sum of \$5,262,579 is
100 appropriated from the General Revenue Fund to the State Court
101 System for the 2013-2014 fiscal year to provide technology
102 solutions that expedite foreclosure cases through the judicial
103 process. Such technology solutions must enable judges and staff
104 to effectively use electronic documents when disposing of
105 foreclosure cases, produce orders electronically, provide for
106 electronic calendaring, serve orders electronically, and
107 generate case management reports. All technology enhancements to
108 expedite the mortgage foreclosure cases must be completed in
109 accordance with standards set by the Florida Court Technology
110 Commission regarding functionality as outlined in the Case
111 Processing Application Standards.

112 Section 6. The nonrecurring sum of \$9,908,948 is
113 appropriated from the General Revenue Fund to the State Court
114 System for the 2013-2014 fiscal year to provide supplemental
115 resources, including, but not limited to, additional senior
116 judge days and temporary case management staff in the trial

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117 courts to reduce the backlog of pending foreclosure cases. The
118 nonrecurring sum of \$9,908,947 is appropriated from the General
119 Revenue Fund to the State Court System for the 2014-2015 fiscal
120 year for the same purpose.

121 Section 7. The nonrecurring sum of \$7.5 million is
122 appropriated from the General Revenue Fund to the State Court
123 System for the clerks of the court for the 2013-2014 fiscal year
124 to enhance levels of service to assist and support the courts in
125 expediting the processing of backlogged foreclosure cases. The
126 nonrecurring sum of \$7.5 million is appropriated from the
127 General Revenue Fund to the State Court System for the clerks of
128 the court for the 2014-2015 fiscal year for the same purpose.

129 Section 8. The nonrecurring sum of \$10 million is
130 appropriated from the General Revenue Fund to the Department of
131 Legal Affairs, Office of the Attorney General, for the 2013-2014
132 fiscal year to contract with regional legal aid service
133 providers to provide legal aid services to low-income and
134 moderate-income homeowners facing foreclosure. Administrative
135 costs or fees may not be collected or used by the Office of the
136 Attorney General, any association, or any foundation for
137 providing such services with the funds appropriated in this
138 section.

139 Section 9. The Legislature finds that there is a need for a
140 promotional campaign to increase consumer awareness of
141 affordable housing availability and housing assistance
142 opportunities as outlined in this act. To this end, the Office
143 of the Attorney General may establish, coordinate, and promote
144 such an advertising campaign, which may include public relations
145 activities and contracting with media representatives for the

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146 purpose of dispersing promotional materials and providing
147 opportunities for consumer assistance. The nonrecurring sum of
148 \$2 million is appropriated from the General Revenue Fund to the
149 Department of Legal Affairs, Office of the Attorney General, for
150 the 2013-2014 fiscal year for this purpose.

151 Section 10. The appropriations in this act are contingent
152 upon the deposit of \$200,080,474 into the state treasury from
153 the escrow account created as a result of the consent judgment
154 entered into by the Florida Attorney General on April 4, 2012,
155 in the case of United States of America v. Bank of America
156 Corp., No. 305 12-0361-RMC, in the United States District Court
157 for the District of Columbia. Of the \$200,080,474, the following
158 amounts shall be deposited into the specified funds in the state
159 treasury: \$70 million shall be deposited into the Local
160 Government Housing Trust Fund in the Department of Economic
161 Opportunity; \$78 million shall be deposited into the State
162 Housing Trust Fund in the Department of Economic Opportunity;
163 and \$52,080,474 shall be deposited into the General Revenue
164 Fund.

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