

**FOR CONSIDERATION By** the Committee on Appropriations

576-02864A-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:

18  
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

576-02864A-13

20137146\_\_

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

576-02864A-13

20137146

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.

576-02864A-13

20137146\_\_

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

576-02864A-13

20137146

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

576-02864A-13

20137146\_\_

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.