



723600

576-04098-15

Proposed Committee Substitute by the Committee on Appropriations  
(Appropriations Subcommittee on Transportation, Tourism, and  
Economic Development)

A bill to be entitled

An act relating to housing assistance; amending s.  
420.5087, F.S.; revising the reservation of funds  
within each notice of fund availability to specified  
tenant groups; creating s. 420.57, F.S.; providing  
legislative intent; defining terms; authorizing the  
Florida Housing Finance Corporation to provide loans  
to a qualified developer for construction or  
rehabilitation of workforce housing in the Florida  
Keys area of critical state concern, subject to  
certain requirements; requiring the corporation to  
establish a loan application process by rule;  
requiring the corporation to select the credit  
underwriter for each project; specifying criteria for  
projects that will be provided priority consideration  
for funding; requiring that the processing of  
approvals of development orders or development permits  
for workforce housing projects be expedited; requiring  
the corporation to award loans with interest rates set  
at a specified range; requiring projects to be deed  
restricted for a specified period of time; specifying  
requirements for eligible applications; exempting  
eligible projects from local rate of growth  
ordinances; authorizing the corporation to adopt rules  
subject to certain requirements and restrictions;  
authorizing the corporation to use a certain percent



723600

576-04098-15

27 of the annual program appropriation for administration  
28 and compliance monitoring; amending s. 420.622, F.S.;  
29 requiring that the State Office on Homelessness  
30 coordinate among certain agencies and providers to  
31 produce a statewide consolidated inventory for the  
32 state's entire system of homeless programs which  
33 incorporates regionally developed plans; directing the  
34 State Office on Homelessness to create a task force to  
35 make recommendations regarding the implementation of a  
36 statewide Homeless Management Information System  
37 (HMIS) subject to certain requirements; requiring the  
38 task force to include in its recommendations the  
39 development of a statewide, centralized coordinated  
40 assessment system; requiring the task force to submit  
41 a report to the Council on Homelessness by a specified  
42 date; deleting the requirement that the Council on  
43 Homelessness explore the potential of creating a  
44 statewide Management Information System and encourage  
45 future participation of certain award or grant  
46 recipients; requiring the State Office on Homelessness  
47 to accept and administer moneys appropriated to it to  
48 provide annual Challenge Grants to certain lead  
49 agencies of homeless assistance continuums of care;  
50 removing the requirement that levels of grant awards  
51 be based upon the total population within the  
52 continuum of care catchment area and reflect the  
53 differing degrees of homelessness in the respective  
54 areas; allowing expenditures of leveraged funds or  
55 resources only for eligible activities subject to



723600

576-04098-15

56 certain requirements; providing that preference for a  
57 grant award must be given to those lead agencies that  
58 have demonstrated the ability to leverage specified  
59 federal homeless-assistance funding, as well as  
60 private funding, for the provision of services to  
61 homeless persons; revising preference conditions  
62 relating to grant applicants; requiring the State  
63 Office on Homelessness, in conjunction with the  
64 Council on Homelessness, to establish specific  
65 objectives by which it may evaluate the outcomes of  
66 certain lead agencies; requiring that any funding  
67 through the State Office on Homelessness be  
68 distributed to lead agencies based on their  
69 performance and achievement of specified objectives;  
70 revising the factors that may be included as criteria  
71 for evaluating the performance of lead agencies;  
72 amending s. 420.624, F.S.; revising requirements for  
73 the local homeless assistance continuum of care plan;  
74 providing that the components of a continuum of care  
75 plan should include Rapid ReHousing; requiring that  
76 specified components of a continuum of care plan be  
77 coordinated and integrated with other specified  
78 services and programs; creating s. 420.6265, F.S.;  
79 providing legislative findings and intent relating to  
80 Rapid ReHousing; providing a Rapid ReHousing  
81 methodology; amending s. 420.9071, F.S.; redefining  
82 the term "rent subsidies"; conforming a provision to  
83 changes made by the act; amending s. 420.9072, F.S.;  
84 prohibiting a county or an eligible municipality from



576-04098-15

85           expending its portion of the local housing  
86           distribution to provide ongoing rent subsidies;  
87           specifying exceptions; amending s. 420.9073, F.S.;  
88           requiring the Florida Housing Finance Corporation to  
89           first distribute a certain percentage of the total  
90           amount to be distributed each fiscal year from the  
91           Local Government Housing Trust Fund to the Department  
92           of Children and Families and to the Department of  
93           Economic Opportunity, respectively, subject to certain  
94           requirements; amending s. 420.9075, F.S.; providing  
95           that a certain partnership process of the State  
96           Housing Initiatives Partnership Program should involve  
97           lead agencies of local homeless assistance continuums  
98           of care; encouraging counties and eligible  
99           municipalities to develop a strategy within their  
100          local housing assistance plans which provides program  
101          funds for reducing homelessness; revising the criteria  
102          that apply to awards made to sponsors or persons for  
103          the purpose of providing housing; requiring that a  
104          specified report submitted by counties and  
105          municipalities include a description of efforts to  
106          reduce homelessness; creating s. 420.9089, F.S.;  
107          providing legislative findings and intent; amending s.  
108          421.04, F.S.; prohibiting a housing authority from  
109          applying to the Federal Government to seize projects,  
110          units, or vouchers of another established housing  
111          authority; amending s. 421.05, F.S.; exempting  
112          authorities from s. 215.425, F.S.; amending s.  
113          421.091, F.S.; requiring a full financial accounting



723600

576-04098-15

114 and audit of public housing agencies to be submitted  
115 to the Federal Government pursuant to certain  
116 requirements; exempting housing authorities from  
117 specified reporting requirements; creating s. 421.281,  
118 F.S.; creating consolidated housing authorities  
119 subject to certain requirements and restrictions;  
120 specifying the area of operation of a consolidated  
121 housing authority; providing for the appointment of  
122 commissioners subject to certain requirements and  
123 restrictions; providing that a majority of the  
124 commissioners constitutes a quorum; specifying the  
125 powers and duties of a consolidated housing authority  
126 and the commissioners thereof; amending s. 421.32,  
127 F.S.; conforming provisions to changes made by the  
128 act; conforming a cross-reference; amending ss.  
129 421.321 and s. 421.33, F.S.; conforming provisions to  
130 changes made by the act; providing an effective date.

131

132 Be It Enacted by the Legislature of the State of Florida:

133

134 Section 1. Subsection (3) of section 420.5087, Florida  
135 Statutes, is amended to read:

136 420.5087 State Apartment Incentive Loan Program.—There is  
137 hereby created the State Apartment Incentive Loan Program for  
138 the purpose of providing first, second, or other subordinated  
139 mortgage loans or loan guarantees to sponsors, including for-  
140 profit, nonprofit, and public entities, to provide housing  
141 affordable to very-low-income persons.

142 (3) During the first 6 months of loan or loan guarantee



723600

576-04098-15

143 availability, program funds shall be reserved for use by  
144 sponsors who provide the housing set-aside required in  
145 subsection (2) for the tenant groups designated in this  
146 subsection. The reservation of funds to each of these groups  
147 shall be determined using the most recent statewide very-low-  
148 income rental housing market study available at the time of  
149 publication of each notice of fund availability required by  
150 paragraph (6) (b). The reservation of funds within each notice of  
151 fund availability to the tenant groups in paragraphs (b)-(e)  
152 ~~(a), (b), and (e)~~ may not be less than 10 percent of the funds  
153 available at that time. Any increase in funding required to  
154 reach the 10-percent minimum must be taken from the tenant group  
155 that has the largest reservation. The reservation of funds  
156 within each notice of fund availability to the tenant group in  
157 paragraph (a) ~~(e)~~ may not be less than 5 percent of the funds  
158 available at that time. ~~The reservation of funds within each~~  
159 ~~notice of fund availability to the tenant group in paragraph (d)~~  
160 ~~may not be more than 10 percent of the funds available at that~~  
161 ~~time.~~ The tenant groups are:

- 162 (a) Commercial fishing workers and farmworkers;
- 163 (b) Families;
- 164 (c) Persons who are homeless;
- 165 (d) Persons with special needs; and
- 166 (e) Elderly persons. Ten percent of the amount reserved for  
167 the elderly shall be reserved to provide loans to sponsors of  
168 housing for the elderly for the purpose of making building  
169 preservation, health, or sanitation repairs or improvements  
170 which are required by federal, state, or local regulation or  
171 code, or lifesafety or security-related repairs or improvements



723600

576-04098-15

172 to such housing. Such a loan may not exceed \$750,000 per housing  
173 community for the elderly. In order to receive the loan, the  
174 sponsor of the housing community must make a commitment to match  
175 at least 5 percent of the loan amount to pay the cost of such  
176 repair or improvement. The corporation shall establish the rate  
177 of interest on the loan, which may not exceed 3 percent, and the  
178 term of the loan, which may not exceed 15 years; however, if the  
179 lien of the corporation's encumbrance is subordinate to the lien  
180 of another mortgagee, then the term may be made coterminous with  
181 the longest term of the superior lien. The term of the loan  
182 shall be based on a credit analysis of the applicant. The  
183 corporation may forgive indebtedness for a share of the loan  
184 attributable to the units in a project reserved for extremely-  
185 low-income elderly by nonprofit organizations, as defined in s.  
186 420.0004(5), where the project has provided affordable housing  
187 to the elderly for 15 years or more. The corporation shall  
188 establish, by rule, the procedure and criteria for receiving,  
189 evaluating, and competitively ranking all applications for loans  
190 under this paragraph. A loan application must include evidence  
191 of the first mortgagee's having reviewed and approved the  
192 sponsor's intent to apply for a loan. A nonprofit organization  
193 or sponsor may not use the proceeds of the loan to pay for  
194 administrative costs, routine maintenance, or new construction.

195 Section 2. Section 420.57, Florida Statutes, is created to  
196 read:

197 420.57 Affordable Housing; the Florida Keys.—

198 (1) The requirements herein provide incentives and  
199 authorize a process for leveraging resources to provide  
200 affordable rental and home ownership opportunities for essential



723600

576-04098-15

201 services personnel in the Florida Keys who are affected by the  
202 area's uniquely high housing costs.

203 (2) For purposes of this section, the term:

204 (a) "Essential services personnel" means persons in need of  
205 affordable housing who are employed in occupations or  
206 professions in which they are considered essential services  
207 personnel, including, but not limited to, teachers and  
208 educators, other school district, community college and  
209 university employees, police and fire personnel, health care  
210 personnel, skilled building trades personnel, and other public  
211 or private job categories and who derive at least 70 percent of  
212 their income from employment in the Florida Keys area of  
213 critical state concern.

214 (b) "Innovative project" means those projects that  
215 incorporate one or more of the following design features: green  
216 building principles, alternative energy and water sources,  
217 storm-resistant construction, or other elements that reduce the  
218 long-term costs relating to maintenance, utilities, and  
219 insurance. The term applies to new construction or  
220 rehabilitation of an existing structure.

221 (c) "Project" means, for purposes of an application, the  
222 construction or rehabilitation of workforce housing by a  
223 qualified developer which includes a single site or scattered  
224 sites within the Florida Keys area of critical state concern. A  
225 scattered site is a project developed on noncontiguous parcels  
226 or parcels divided by a street or easement in which the  
227 qualified developer has a leasehold interest or demonstrates  
228 ownership or control of all of the parcels. The sites could be  
229 located in different parts of the county, regardless of the





723600

576-04098-15

230 number of building permits required.

231 (d) "Public-private partnership" means a partnership that  
232 includes substantial involvement of at least one county, one  
233 municipality, or one public sector entity, such as a school  
234 district or other unit of local government, in which a project  
235 is to be located, and at least one private sector for-profit or  
236 not-for-profit business or charitable organization, including a  
237 joint venture or other business entity.

238 (e) "Qualified developer" means a private person or entity  
239 that undertakes a development activity and demonstrates it has  
240 adequate financial resources to provide the necessary guarantees  
241 for the underwriting of the project for which it makes  
242 application. The term does not include a governmental agency  
243 that undertakes a development project.

244 (f) "Workforce housing" means multifamily or single-family  
245 rental housing affordable to natural persons or families whose  
246 total annual household income for rental units does not exceed  
247 120 percent of the annual area median income (AMI) for Monroe  
248 County, as determined by the United States Department of Housing  
249 and Urban Development (HUD), and for home ownership, 160 percent  
250 of the annual AMI for Monroe County as determined by HUD.

251 (3) The Florida Housing Finance Corporation, hereinafter  
252 referred to as the "corporation," may provide loans to a  
253 qualified developer for construction or rehabilitation of  
254 workforce housing in the Florida Keys area of critical state  
255 concern. Any eligible project shall qualify for a low-interest  
256 loan of up to 50 percent of the total project cost, including  
257 land, based on a minimum loan amount of \$1 million. This funding  
258 is intended to be used with other public and private sector



723600

576-04098-15

259 resources.

260 (4) The corporation shall establish a loan application  
261 process by rule which includes selection criteria, an expedited  
262 application review process, and a funding process, and shall  
263 select the credit underwriter for each project.

264 (a) The selection criteria and application review process  
265 must include a procedure for curing errors in the loan  
266 applications which do not make a substantial change to the  
267 proposed project.

268 (b) The staff of the corporation shall make recommendations  
269 concerning program participation and funding to the  
270 corporation's board of directors and may accept any application  
271 that meets all threshold requirements. Applications shall be  
272 limited to one submission per project.

273 (c) The corporation board of directors shall approve or  
274 reject loan applications, determine the tentative loan amount  
275 available to each applicant, and rank all approved applications.

276 (d) The corporation board of directors shall decide which  
277 approved applicants will become program participants and  
278 determine the maximum loan amount for each project. Awards may  
279 be made to one or more applicants. The board of directors  
280 annually shall fund at least one eligible project, consistent  
281 with this program's goals.

282 (e) Requests for proposals or applications shall be made by  
283 the corporation no less than annually and shall begin as soon as  
284 possible after the beginning of the new fiscal year. Applicants  
285 shall be given no more than a 2-month response time. The  
286 corporation shall conclude its evaluation and award or approve  
287 an application no later than 9 months after the start of the



723600

576-04098-15

288 state's fiscal year. Notwithstanding this paragraph, the  
289 corporation may expedite the time frames associated with a  
290 review process, provided the expedited review allows for  
291 responses to requests for proposal, sufficient project  
292 evaluation, and award of a project.

293 (5) Priority consideration for funding will be provided for  
294 projects that:

295 (a) Set aside the highest percent of units for workforce  
296 housing.

297 (b) Require the least amount of program funding compared to  
298 the overall housing cost of the project.

299 (c) Are consistent with the workforce housing objectives  
300 and strategies set forth in the local comprehensive plan or land  
301 development regulations.

302 (d) Are innovative projects.

303 (6) The processing of approvals of development orders or  
304 development permits, as defined in s. 163.3164, for workforce  
305 housing projects under this program shall be expedited.

306 (7) The corporation shall award loans with interest rates  
307 set at 1 to 3 percent, which shall be made forgivable when long-  
308 term affordability is provided and guaranteed and when 100  
309 percent of the units are set aside for workforce housing for  
310 essential services personnel. Projects shall be deed restricted  
311 for 99 years to remain compliant with the definition of  
312 affordable housing in the Monroe County, Florida Land  
313 Development Code, section 101-1.

314 (8) All eligible applications must demonstrate the  
315 following:

316 (a) For workforce housing units offered for sale to



723600

576-04098-15

317 essential services personnel, the sale or resale will be limited  
318 for a detached unit, townhouse, or condominium unit to not more  
319 than 3.75 times the AMI for studio or one bedroom units; not  
320 more than 4.25 times AMI for two bedroom units; and not more  
321 than 4.75 times AMI for three or more bedroom units, and require  
322 that all eligible purchasers occupy the homes as their primary  
323 residence. Such residences may not be used for tourist housing  
324 or vacation rentals.

325 (b) For rental units of workforce housing serving essential  
326 services personnel, the monthly rent will be limited to not more  
327 than 30 percent of the amount that represents 120 percent of the  
328 monthly AMI for Monroe County. Such residences may not be used  
329 for tourist housing or vacation rentals.

330 (c) The applicant is a public-private partnership as  
331 established in an contract, partnership agreement, memorandum of  
332 understanding, or other written instrument signed by all the  
333 project partners.

334 (d) Any combination of grants, donations of land, or  
335 contributions from the public-private partnership or other  
336 sources must total at least 10 percent of the project  
337 development cost. Such grants, donations of land, or  
338 contributions must be evidenced by a letter of commitment,  
339 agreement, contract, deed, memorandum of understanding, or other  
340 written instrument at the time of application.

341 (e) The applicant must have title to or site control of the  
342 land and evidence of required infrastructure.

343 (f) The applicant must have adequate financial resources to  
344 provide the necessary guarantees for the underwriting of a  
345 project.



723600

576-04098-15

346 (9) Eligible projects that may be otherwise subject to a  
347 local rate of growth ordinance are exempt from such ordinances.

348 (10) The corporation may adopt only those rules as  
349 necessary to implement this section and ensure proper  
350 administration of the program, consistent with the requirements  
351 of s. 120.536(1) and s. 120.54. The corporation may use a  
352 maximum of 2 percent of the annual program appropriation for  
353 administration and compliance monitoring.

354 Section 3. Paragraphs (a) and (b) of subsection (3) and  
355 subsections (4), (5), and (6) of section 420.622, Florida  
356 Statutes, are amended to read:

357 420.622 State Office on Homelessness; Council on  
358 Homelessness.—

359 (3) The State Office on Homelessness, pursuant to the  
360 policies set by the council and subject to the availability of  
361 funding, shall:

362 (a) Coordinate among state, local, and private agencies and  
363 providers to produce a statewide consolidated inventory program  
364 and financial plan for the state's entire system of homeless  
365 programs which incorporates regionally developed plans. Such  
366 programs include, but are not limited to:

367 1. Programs authorized under the Stewart B. McKinney  
368 Homeless Assistance Act of 1987, 42 U.S.C. ss. 11371 et seq.,  
369 and carried out under funds awarded to this state; and

370 2. Programs, components thereof, or activities that assist  
371 persons who are homeless or at risk for homelessness.

372 (b) Collect, maintain, and make available information  
373 concerning persons who are homeless or at risk for homelessness,  
374 including demographics information, current services and



723600

576-04098-15

375 resources available, the cost and availability of services and  
376 programs, and the met and unmet needs of this population. All  
377 entities that receive state funding must provide access to all  
378 data they maintain in summary form, with no individual  
379 identifying information, to assist the council in providing this  
380 information. The State Office on Homelessness shall establish a  
381 task force to make recommendations regarding the implementation  
382 of a statewide Homeless Management Information System (HMIS).  
383 The task force shall define the conceptual framework of such a  
384 system; study existing statewide HMIS models; establish an  
385 inventory of local HMIS systems, including providers and license  
386 capacity; examine the aggregated reporting being provided by  
387 local continuums of care; complete an analysis of current  
388 continuum of care resources; and provide recommendations on the  
389 costs and benefits of implementing a statewide HMIS. The task  
390 force shall also make recommendations regarding the development  
391 of a statewide, centralized coordinated assessment system in  
392 conjunction with the implementation of a statewide HMIS. The  
393 task force findings must be reported to the Council on  
394 Homelessness no later than December 31, 2015. ~~The council shall~~  
395 ~~explore the potential of creating a statewide Management~~  
396 ~~Information System (MIS), encouraging the future participation~~  
397 ~~of any bodies that are receiving awards or grants from the~~  
398 ~~state, if such a system were adopted, enacted, and accepted by~~  
399 ~~the state.~~

400 (4) The State Office on Homelessness, with the concurrence  
401 of the Council on Homelessness, shall ~~may~~ accept and administer  
402 moneys appropriated to it to provide annual "Challenge Grants"  
403 to lead agencies of homeless assistance continuums of care



723600

576-04098-15

404 designated by the State Office on Homelessness pursuant to s.  
405 420.624. The department shall establish varying levels of grant  
406 awards up to \$500,000 per lead agency. ~~Award levels shall be~~  
407 ~~based upon the total population within the continuum of care~~  
408 ~~catchment area and reflect the differing degrees of homelessness~~  
409 ~~in the catchment planning areas.~~ The department, in consultation  
410 with the Council on Homelessness, shall specify a grant award  
411 level in the notice of the solicitation of grant applications.

412 (a) To qualify for the grant, a lead agency must develop  
413 and implement a local homeless assistance continuum of care plan  
414 for its designated catchment area. The continuum of care plan  
415 must implement a coordinated assessment or central intake system  
416 to screen, assess, and refer persons seeking assistance to the  
417 appropriate service provider. The lead agency shall also  
418 document the commitment of local government and private  
419 organizations to provide matching funds or in-kind support in an  
420 amount equal to the grant requested. Expenditures of leveraged  
421 funds or resources, including third-party cash or in-kind  
422 contributions, are permitted only for eligible activities  
423 committed on one project which have not been used as leverage or  
424 match for any other project or program and must be certified  
425 through a written commitment.

426 (b) Preference must be given to those lead agencies that  
427 have demonstrated the ability of their continuum of care to  
428 provide quality services to homeless persons and the ability to  
429 leverage federal homeless-assistance funding under the Stewart  
430 B. McKinney Act and private funding for the provision of  
431 services to homeless persons.

432 (c) Preference must be given to lead agencies in catchment



723600

576-04098-15

433 areas with the greatest need for the provision of housing and  
434 services to the homeless, relative to the population of the  
435 catchment area.

436 (d) The grant may be used to fund any of the housing,  
437 program, or service needs included in the local homeless  
438 assistance continuum of care plan. The lead agency may allocate  
439 the grant to programs, services, or housing providers that  
440 implement the local homeless assistance continuum care plan. The  
441 lead agency may provide subgrants to a local agency to implement  
442 programs or services or provide housing identified for funding  
443 in the lead agency's application to the department. A lead  
444 agency may spend a maximum of 8 percent of its funding on  
445 administrative costs.

446 (e) The lead agency shall submit a final report to the  
447 department documenting the outcomes achieved by the grant in  
448 enabling persons who are homeless to return to permanent housing  
449 thereby ending such person's episode of homelessness.

450 (5) The State Office on Homelessness, with the concurrence  
451 of the Council on Homelessness, may administer moneys  
452 appropriated to it to provide homeless housing assistance grants  
453 annually to lead agencies for local homeless assistance  
454 continuum of care, as recognized by the State Office on  
455 Homelessness, to acquire, construct, or rehabilitate  
456 transitional or permanent housing units for homeless persons.  
457 These moneys shall consist of any sums that the state may  
458 appropriate, as well as money received from donations, gifts,  
459 bequests, or otherwise from any public or private source, which  
460 are intended to acquire, construct, or rehabilitate transitional  
461 or permanent housing units for homeless persons.





723600

576-04098-15

462 (a) Grant applicants shall be ranked competitively.  
463 Preference must be given to applicants who leverage additional  
464 private funds and public funds, particularly federal funds  
465 designated for the acquisition, construction, or rehabilitation  
466 of transitional or permanent housing for homeless persons; who  
467 acquire, build, or rehabilitate the greatest number of units; or  
468 ~~and~~ who acquire, build, or rehabilitate in catchment areas  
469 having the greatest need for housing for the homeless relative  
470 to the population of the catchment area.

471 (b) Funding for any particular project may not exceed  
472 \$750,000.

473 (c) Projects must reserve, for a minimum of 10 years, the  
474 number of units acquired, constructed, or rehabilitated through  
475 homeless housing assistance grant funding to serve persons who  
476 are homeless at the time they assume tenancy.

477 (d) No more than two grants may be awarded annually in any  
478 given local homeless assistance continuum of care catchment  
479 area.

480 (e) A project may not be funded which is not included in  
481 the local homeless assistance continuum of care plan, as  
482 recognized by the State Office on Homelessness, for the  
483 catchment area in which the project is located.

484 (f) The maximum percentage of funds that the State Office  
485 on Homelessness and each applicant may spend on administrative  
486 costs is 5 percent.

487 (6) The State Office on Homelessness, in conjunction with  
488 the Council on Homelessness, shall establish performance  
489 measures and specific objectives by which it may ~~to~~ evaluate the  
490 ~~effective~~ performance and outcomes of lead agencies that receive



723600

576-04098-15

491 grant funds. Any funding through the State Office on  
492 Homelessness shall be distributed to lead agencies based on  
493 their overall performance and their achievement of specified  
494 objectives. Each lead agency for which grants are made under  
495 this section shall provide the State Office on Homelessness a  
496 thorough evaluation of the effectiveness of the program in  
497 achieving its stated purpose. In evaluating the performance of  
498 the lead agencies, the State Office on Homelessness shall base  
499 its criteria upon the program objectives, goals, and priorities  
500 that were set forth by the lead agencies in their proposals for  
501 funding. Such criteria may include, but not be limited to, the  
502 number of persons or households that are no longer homeless, the  
503 rate of recidivism to homelessness, and the number of persons  
504 who obtain gainful employment ~~homeless individuals provided~~  
505 ~~shelter, food, counseling, and job training.~~

506 Section 4. Subsections (3), (7), and (8) of section  
507 420.624, Florida Statutes, are amended to read:

508 420.624 Local homeless assistance continuum of care.-

509 (3) Communities or regions seeking to implement a local  
510 homeless assistance continuum of care are encouraged to develop  
511 and annually update a written plan that includes a vision for  
512 the continuum of care, an assessment of the supply of and demand  
513 for housing and services for the homeless population, and  
514 specific strategies and processes for providing the components  
515 of the continuum of care. The State Office on Homelessness, in  
516 conjunction with the Council on Homelessness, shall include in  
517 the plan a methodology for assessing performance and outcomes.  
518 The State Office on Homelessness shall supply a standardized  
519 format for written plans, including the reporting of data.



723600

576-04098-15

520 (7) The components of a continuum of care plan should  
521 include:

522 (a) Outreach, intake, and assessment procedures in order to  
523 identify the service and housing needs of an individual or  
524 family and to link them with appropriate housing, services,  
525 resources, and opportunities;

526 (b) Emergency shelter, in order to provide a safe, decent  
527 alternative to living in the streets;

528 (c) Transitional housing;

529 (d) Supportive services, designed to assist with the  
530 development of the skills necessary to secure and retain  
531 permanent housing;

532 (e) Permanent supportive housing;

533 (f) Rapid ReHousing, as specified in s. 420.6265;

534 (g)~~(f)~~ Permanent housing;

535 (h)~~(g)~~ Linkages and referral mechanisms among all  
536 components to facilitate the movement of individuals and  
537 families toward permanent housing and self-sufficiency;

538 (i)~~(h)~~ Services and resources to prevent housed persons  
539 from becoming or returning to homelessness; and

540 (j)~~(i)~~ An ongoing planning mechanism to address the needs  
541 of all subgroups of the homeless population, including but not  
542 limited to:

543 1. Single adult males;

544 2. Single adult females;

545 3. Families with children;

546 4. Families with no children;

547 5. Unaccompanied children and youth;

548 6. Elderly persons;



723600

576-04098-15

- 549           7. Persons with drug or alcohol addictions;  
550           8. Persons with mental illness;  
551           9. Persons with dual or multiple physical or mental  
552 disorders;  
553           10. Victims of domestic violence; and  
554           11. Persons living with HIV/AIDS.

555           (8) Continuum of care plans must promote participation by  
556 all interested individuals and organizations and may not exclude  
557 individuals and organizations on the basis of race, color,  
558 national origin, sex, handicap, familial status, or religion.  
559 Faith-based organizations must be encouraged to participate. To  
560 the extent possible, these components shall ~~should~~ be  
561 coordinated and integrated with other mainstream health, social  
562 services, and employment programs for which homeless populations  
563 may be eligible, including Medicaid, State Children's Health  
564 Insurance Program, Temporary Assistance for Needy Families, Food  
565 Assistance Program, and services funded through the Mental  
566 Health and Substance Abuse Block Grant, the Workforce Investment  
567 Act, and the welfare-to-work grant program.

568           Section 5. Section 420.6265, Florida Statutes, is created  
569 to read:

570           420.6265 Rapid ReHousing.—

571           (1) LEGISLATIVE FINDINGS AND INTENT.—

572           (a) The Legislature finds that Rapid ReHousing is a  
573 strategy of using temporary financial assistance and case  
574 management to quickly move an individual or family out of  
575 homelessness and into permanent housing.

576           (b) The Legislature also finds that, for most of the past  
577 two decades, public and private solutions to homelessness have



723600

576-04098-15

578 focused on providing individuals and families who are  
579 experiencing homelessness with emergency shelter, transitional  
580 housing, or a combination of both. While emergency shelter and  
581 transitional housing programs may provide critical access to  
582 services for individuals and families in crisis, they often fail  
583 to address their long-term needs.

584 (c) The Legislature further finds that most households  
585 become homeless as a result of a financial crisis that prevents  
586 individuals and families from paying rent or a domestic conflict  
587 that results in one member being ejected or leaving without  
588 resources or a plan for housing.

589 (d) The Legislature further finds that Rapid ReHousing is  
590 an alternative approach to the current system of emergency  
591 shelter or transitional housing which tends to reduce the length  
592 of time of homelessness and has proven to be cost effective.

593 (e) It is therefore the intent of the Legislature to  
594 encourage homeless continuums of care to adopt the Rapid  
595 ReHousing approach to preventing homelessness for individuals  
596 and families who do not require the intense level of supports  
597 provided in the Permanent Supportive Housing model.

598 (2) RAPID REHOUSING METHODOLOGY.—

599 (a) The Rapid ReHousing approach to homelessness differs  
600 from traditional approaches to addressing homelessness by  
601 focusing on each individual's or family's barriers to returning  
602 to housing. By using this approach, communities can  
603 significantly reduce the amount of time that individuals and  
604 families are homeless and prevent further episodes of  
605 homelessness.

606 (b) In Rapid ReHousing, an individual or family is



723600

576-04098-15

607 identified as being homeless, temporary assistance is provided  
608 to allow the individual or family to obtain permanent housing as  
609 quickly as possible, and, if needed, assistance is provided to  
610 allow the individual or family to retain housing.

611 (c) The objective of Rapid ReHousing is to provide  
612 assistance for as short a term as possible so that the  
613 individual or family receiving assistance does not develop a  
614 dependency on the assistance.

615 Section 6. Subsections (25) and (26) of section 420.9071,  
616 Florida Statutes, are amended to read:

617 420.9071 Definitions.—As used in ss. 420.907-420.9079, the  
618 term:

619 (25) "Recaptured funds" means funds that are recouped by a  
620 county or eligible municipality in accordance with the recapture  
621 provisions of its local housing assistance plan pursuant to s.  
622 420.9075(5)(i) ~~s. 420.9075(5)(h)~~ from eligible persons or  
623 eligible sponsors, which funds were not used for assistance to  
624 an eligible household for an eligible activity, when there is a  
625 default on the terms of a grant award or loan award.

626 (26) "Rent subsidies" means ongoing monthly rental  
627 assistance. ~~The term does not include initial assistance to~~  
628 ~~tenants, such as grants or loans for security and utility~~  
629 ~~deposits.~~

630 Section 7. Subsection (7) of section 420.9072, Florida  
631 Statutes, is amended, present subsections (8) and (9) of that  
632 section are redesignated as subsections (9) and (10),  
633 respectively, and a new subsection (8) is added to that section,  
634 to read:

635 420.9072 State Housing Initiatives Partnership Program.—The



723600

576-04098-15

636 State Housing Initiatives Partnership Program is created for the  
637 purpose of providing funds to counties and eligible  
638 municipalities as an incentive for the creation of local housing  
639 partnerships, to expand production of and preserve affordable  
640 housing, to further the housing element of the local government  
641 comprehensive plan specific to affordable housing, and to  
642 increase housing-related employment.

643 (7) A county or an eligible municipality must expend its  
644 portion of the local housing distribution only to implement a  
645 local housing assistance plan or as provided in this subsection.  
646 ~~A county or an eligible municipality may not expend its portion~~  
647 ~~of the local housing distribution to provide rent subsidies;~~  
648 ~~however, this does not prohibit the use of funds for security~~  
649 ~~and utility deposit assistance.~~

650 (8) A county or an eligible municipality may not expend its  
651 portion of the local housing distribution to provide ongoing  
652 rent subsidies, except for:

653 (a) Security and utility deposit assistance.

654 (b) Eviction prevention not to exceed 6 months' rent.

655 (c) A rent subsidy program for very-low-income households  
656 with at least one adult who is a person with special needs as  
657 defined in s. 420.0004 or homeless as defined in s. 420.621. The  
658 period of rental assistance may not exceed 12 months for any  
659 eligible household.

660 Section 8. Present subsections (5) through (7) of section  
661 420.9073, Florida Statutes, are redesignated as subsections (6)  
662 through (8), and a new subsection (5) is added to that section,  
663 to read:

664 420.9073 Local housing distributions.—



723600

576-04098-15

665           (5) Notwithstanding subsections (1) through (4), the  
666 corporation shall first distribute 4 percent of the total amount  
667 to be distributed in a given fiscal year from the Local  
668 Government Housing Trust Fund to the Department of Children and  
669 Families and the Department of Economic Opportunity as follows:

670           (a) The Department of Children and Families shall receive  
671 95 percent of such amount to provide operating funds and other  
672 support to the designated lead agency in each continuum of care  
673 for the benefit of the designated catchment area as described in  
674 s. 420.624.

675           (b) The Department of Economic Opportunity shall receive 5  
676 percent of such amount to provide training and technical  
677 assistance to lead agencies receiving operating funds and other  
678 support under paragraph (a) in accordance with s. 420.606(3).  
679 Training and technical assistance funded by this distribution  
680 shall be provided by a nonprofit entity that meets the  
681 requirements of s. 420.531.

682           Section 9. Paragraph (a) of subsection (2) of section  
683 420.9075, Florida Statutes, is amended, paragraph (f) is added  
684 to subsection (3), subsection (5) of that section is amended,  
685 and paragraph (i) is added to subsection (10) of that section,  
686 to read:

687           420.9075 Local housing assistance plans; partnerships.—

688           (2) (a) Each county and each eligible municipality  
689 participating in the State Housing Initiatives Partnership  
690 Program shall encourage the involvement of appropriate public  
691 sector and private sector entities as partners in order to  
692 combine resources to reduce housing costs for the targeted  
693 population. This partnership process should involve:





723600

576-04098-15

- 694 1. Lending institutions.  
695 2. Housing builders and developers.  
696 3. Nonprofit and other community-based housing and service  
697 organizations.  
698 4. Providers of professional services relating to  
699 affordable housing.  
700 5. Advocates for low-income persons, including, but not  
701 limited to, homeless people, the elderly, and migrant  
702 farmworkers.  
703 6. Real estate professionals.  
704 7. Other persons or entities who can assist in providing  
705 housing or related support services.  
706 8. Lead agencies of local homeless assistance continuums of  
707 care.

708 (3)

709 (f) Each county and each eligible municipality is  
710 encouraged to develop a strategy within its local housing  
711 assistance plan which provides program funds for reducing  
712 homelessness.

713 (5) The following criteria apply to awards made to eligible  
714 sponsors or eligible persons for the purpose of providing  
715 eligible housing:

716 (a) At least 65 percent of the funds made available in each  
717 county and eligible municipality from the local housing  
718 distribution must be reserved for home ownership for eligible  
719 persons.

720 (b) Up to 25 percent of the funds made available in each  
721 county and eligible municipality from the local housing  
722 distribution may be reserved for rental housing for eligible



723600

576-04098-15

723 persons or for the purposes enumerated in s. 420.9072(8).

724 (c) ~~(b)~~ At least 75 percent of the funds made available in  
725 each county and eligible municipality from the local housing  
726 distribution must be reserved for construction, rehabilitation,  
727 or emergency repair of affordable, eligible housing.

728 (d) ~~(e)~~ Not more than 20 percent of the funds made available  
729 in each county and eligible municipality from the local housing  
730 distribution may be used for manufactured housing.

731 (e) ~~(d)~~ The sales price or value of new or existing eligible  
732 housing may not exceed 90 percent of the average area purchase  
733 price in the statistical area in which the eligible housing is  
734 located. Such average area purchase price may be that calculated  
735 for any 12-month period beginning not earlier than the fourth  
736 calendar year prior to the year in which the award occurs or as  
737 otherwise established by the United States Department of the  
738 Treasury.

739 (f) ~~(e)~~ 1. All units constructed, rehabilitated, or otherwise  
740 assisted with the funds provided from the local housing  
741 assistance trust fund must be occupied by very-low-income  
742 persons, low-income persons, and moderate-income persons except  
743 as otherwise provided in this section.

744 2. At least 30 percent of the funds deposited into the  
745 local housing assistance trust fund must be reserved for awards  
746 to very-low-income persons or eligible sponsors who will serve  
747 very-low-income persons and at least an additional 30 percent of  
748 the funds deposited into the local housing assistance trust fund  
749 must be reserved for awards to low-income persons or eligible  
750 sponsors who will serve low-income persons. This subparagraph  
751 does not apply to a county or an eligible municipality that



723600

576-04098-15

752 includes, or has included within the previous 5 years, an area  
753 of critical state concern designated or ratified by the  
754 Legislature for which the Legislature has declared its intent to  
755 provide affordable housing. The exemption created by this act  
756 expires on July 1, 2013, and shall apply retroactively.

757 (g)~~(f)~~ Loans shall be provided for periods not exceeding 30  
758 years, except for deferred payment loans or loans that extend  
759 beyond 30 years which continue to serve eligible persons.

760 (h)~~(g)~~ Loans or grants for eligible rental housing  
761 constructed, rehabilitated, or otherwise assisted from the local  
762 housing assistance trust fund must be subject to recapture  
763 requirements as provided by the county or eligible municipality  
764 in its local housing assistance plan unless reserved for  
765 eligible persons for 15 years or the term of the assistance,  
766 whichever period is longer. Eligible sponsors that offer rental  
767 housing for sale before 15 years or that have remaining  
768 mortgages funded under this program must give a first right of  
769 refusal to eligible nonprofit organizations for purchase at the  
770 current market value for continued occupancy by eligible  
771 persons.

772 (i)~~(h)~~ Loans or grants for eligible owner-occupied housing  
773 constructed, rehabilitated, or otherwise assisted from proceeds  
774 provided from the local housing assistance trust fund shall be  
775 subject to recapture requirements as provided by the county or  
776 eligible municipality in its local housing assistance plan.

777 (j)~~(i)~~ The total amount of monthly mortgage payments or the  
778 amount of monthly rent charged by the eligible sponsor or her or  
779 his designee must be made affordable.

780 (k)~~(j)~~ The maximum sales price or value per unit and the



723600

576-04098-15

781 maximum award per unit for eligible housing benefiting from  
782 awards made pursuant to this section must be established in the  
783 local housing assistance plan.

784 (l) ~~(k)~~ The benefit of assistance provided through the State  
785 Housing Initiatives Partnership Program must accrue to eligible  
786 persons occupying eligible housing. This provision shall not be  
787 construed to prohibit use of the local housing distribution  
788 funds for a mixed income rental development.

789 (m) ~~(l)~~ Funds from the local housing distribution not used  
790 to meet the criteria established in paragraph (a) or paragraph  
791 (c) ~~(b)~~ or not used for the administration of a local housing  
792 assistance plan must be used for housing production and finance  
793 activities, including, but not limited to, financing  
794 preconstruction activities or the purchase of existing units,  
795 providing rental housing, and providing home ownership training  
796 to prospective home buyers and owners of homes assisted through  
797 the local housing assistance plan.

798 1. Notwithstanding the provisions of paragraphs (a) and (c)  
799 ~~(b)~~, program income as defined in s. 420.9071(24) may also be  
800 used to fund activities described in this paragraph.

801 2. When preconstruction due-diligence activities conducted  
802 as part of a preservation strategy show that preservation of the  
803 units is not feasible and will not result in the production of  
804 an eligible unit, such costs shall be deemed a program expense  
805 rather than an administrative expense if such program expenses  
806 do not exceed 3 percent of the annual local housing  
807 distribution.

808 3. If both an award under the local housing assistance plan  
809 and federal low-income housing tax credits are used to assist a



723600

576-04098-15

810 project and there is a conflict between the criteria prescribed  
811 in this subsection and the requirements of s. 42 of the Internal  
812 Revenue Code of 1986, as amended, the county or eligible  
813 municipality may resolve the conflict by giving precedence to  
814 the requirements of s. 42 of the Internal Revenue Code of 1986,  
815 as amended, in lieu of following the criteria prescribed in this  
816 subsection with the exception of paragraphs (a) and (f) ~~(e)~~ of  
817 this subsection.

818 4. Each county and each eligible municipality may award  
819 funds as a grant for construction, rehabilitation, or repair as  
820 part of disaster recovery or emergency repairs or to remedy  
821 accessibility or health and safety deficiencies. Any other  
822 grants must be approved as part of the local housing assistance  
823 plan.

824 (10) Each county or eligible municipality shall submit to  
825 the corporation by September 15 of each year a report of its  
826 affordable housing programs and accomplishments through June 30  
827 immediately preceding submittal of the report. The report shall  
828 be certified as accurate and complete by the local government's  
829 chief elected official or his or her designee. Transmittal of  
830 the annual report by a county's or eligible municipality's chief  
831 elected official, or his or her designee, certifies that the  
832 local housing incentive strategies, or, if applicable, the local  
833 housing incentive plan, have been implemented or are in the  
834 process of being implemented pursuant to the adopted schedule  
835 for implementation. The report must include, but is not limited  
836 to:

837 (i) A description of efforts to reduce homelessness.

838 Section 10. Section 420.9089, Florida Statutes, is created



723600

576-04098-15

839 to read:

840 420.9089 National Housing Trust Fund.—The Legislature finds  
841 that more funding for housing to assist the homeless is needed  
842 and encourages the state entity designated to administer funds  
843 made available to the state from the National Housing Trust Fund  
844 to propose an allocation plan that includes strategies to reduce  
845 homelessness in this state. These strategies to address  
846 homelessness shall be in addition to strategies under s.  
847 420.5087.

848 Section 11. Subsection (4) is added to section 421.04,  
849 Florida Statutes, to read:

850 421.04 Creation of housing authorities.—

851 (4) Regardless of the date of its creation, a housing  
852 authority may not apply to the Federal Government to seize any  
853 projects, units, or vouchers of another established housing  
854 authority, irrespective of each housing authority's areas of  
855 operation.

856 Section 12. Subsection (2) of section 421.05, Florida  
857 Statutes, is amended to read:

858 421.05 Appointment, qualifications, and tenure of  
859 commissioners; hiring of employees.—

860 (2) The powers of each authority shall be vested in the  
861 commissioners thereof in office from time to time. A majority of  
862 the commissioners shall constitute a quorum of the authority for  
863 the purpose of conducting its business and exercising its powers  
864 and for all other purposes. Action may be taken by the authority  
865 upon a vote of a majority of the commissioners present, unless  
866 in any case the bylaws of the authority require a larger number.  
867 The mayor with the concurrence of the governing body shall



723600

576-04098-15

868 designate ~~which of the commissioners appointed shall be the~~  
869 first chair from among the appointed commissioners, but when the  
870 office of the chair of the authority thereafter becomes vacant,  
871 the authority shall select a chair from among the its  
872 commissioners. An authority shall also select from among the its  
873 commissioners a vice chair,~~r~~ and it may employ a secretary, who  
874 shall be the executive director, technical experts, and such  
875 other officers, agents, and employees, permanent and temporary,  
876 as it may require and shall determine their qualifications,  
877 duties, and compensation. Accordingly, authorities are exempt  
878 from s. 215.425. For such legal services as it may require, An  
879 authority may call upon the chief law officer of the city or may  
880 employ its own counsel and legal staff for legal services. An  
881 authority may delegate to one or more of its agents or employees  
882 such powers or duties as it may deem proper.

883 Section 13. Subsection (1) of section 421.091, Florida  
884 Statutes, is amended to read:

885 421.091 Financial accounting and investments; fiscal year.-

886 (1) A complete and full financial accounting and audit in  
887 accordance with federal audit standards of public housing  
888 agencies shall be made biennially by a certified public  
889 accountant and submitted to the Federal Government in accordance  
890 with its policies. Housing authorities are otherwise exempt from  
891 the reporting requirements of s. 218.32. A copy of such audit  
892 shall be filed with the governing body and with the Auditor  
893 General.

894 Section 14. Section 421.281, Florida Statutes, is created  
895 to read:

896 421.281 Consolidated Housing Authorities.-



723600

576-04098-15

897 (1) CREATION.—

898 (a) If the commissioners of at least two municipal or  
899 municipal and county housing authorities of neighboring areas of  
900 operation that are not under federal receivership declare by  
901 identical resolution, after a public hearing and two consecutive  
902 meetings at which such resolution is heard, that there is a need  
903 for merging their authorities which serves the best interest of  
904 their respective tenants and communities, one housing authority  
905 shall be created for all of such authorities to exercise powers  
906 and other functions herein prescribed in such areas of operation  
907 through a public body corporate and politic to be known as a  
908 consolidated housing authority.

909 (b) After the consolidation, each housing authority created  
910 by s. 421.04 or s. 421.27 for each of the areas shall cease to  
911 exist except for the purpose of winding up its affairs and  
912 executing a deed to the consolidated housing authority as  
913 hereafter provided, if:

914 1. All obligees of such housing authorities and parties to  
915 the contracts, bonds, notes, and other obligations of such  
916 housing authorities agree to the substitution of the  
917 consolidated housing authority; and

918 2. The commissioners of such housing authorities adopt a  
919 resolution consenting to the transfer of all of the rights,  
920 contracts, obligations, and property, real and personal, to the  
921 consolidated housing authority.

922 (c) When any real property of a housing authority vests in  
923 a consolidated housing authority as provided in subsection (2),  
924 the housing authority shall execute a deed of such property to  
925 the consolidated housing authority which thereupon shall file





723600

576-04098-15

926 such deed with the recorder of deeds of the county where such  
927 real property is located.

928 (d) In any suit, action, or proceeding involving the  
929 validity or enforcement of or relating to any contract of the  
930 consolidated housing authority, the consolidated housing  
931 authority shall be conclusively deemed to have become created,  
932 established, and authorized to transact business and exercise  
933 its powers hereunder upon proof of the adoption of a resolution  
934 by the commissioners of each of the authorities creating the  
935 consolidated housing authority.

936 (e) No more than three housing authorities may be  
937 consolidated within a 10-year period, unless there is a  
938 resolution of each housing authority and local government within  
939 the area of operation in support of such additional  
940 consolidation.

941 (2) AREA OF OPERATION.—

942 (a) The area of operation of a consolidated housing  
943 authority shall include the combined areas of operation of the  
944 housing authorities which merged to form the consolidated  
945 housing authority.

946 (b) In connection with the issuance of bonds or the  
947 incurring of other obligations, a consolidated housing authority  
948 may covenant as to limitations on its right to adopt resolutions  
949 relating to the increase of its area of operation.

950 (3) COMMISSIONERS.—

951 (a) When a consolidated housing authority has been created,  
952 the consolidation plan must include provision for the  
953 distribution of appointments among the existing appointing  
954 authorities. The appointing authorities shall thereupon appoint



723600

576-04098-15

955 seven persons, with at least one qualified elector from each  
956 area of operation included therein, provided that there are  
957 suitable candidates who are willing to serve from each area of  
958 operation.

959 (b) When the area of operation of a consolidated housing  
960 authority is increased to include an additional area of  
961 operation as herein provided, the consolidation plan must  
962 provide for the appointment of one qualified elector from each  
963 such additional area of operation as a commissioner. The number  
964 of commissioners of a consolidated housing authority may be  
965 increased above seven only for the implementation of this  
966 subsection.

967 (c) If any county is later excluded from the area of  
968 operation of a consolidated housing authority, the office of the  
969 commissioner of such housing authority appointed as provided in  
970 subsection (2) is abolished.

971 (d) If the area of operation of a consolidated housing  
972 authority consists at any time of an even number of counties,  
973 the Governor shall appoint one additional commissioner, who  
974 shall be a qualified elector from one of the counties in such  
975 area of operation.

976 (e) A certificate of the appointment of any commissioner of  
977 a consolidated housing authority shall be filed with the county  
978 clerk of the county from which the commissioner is appointed,  
979 and such certificate shall be conclusive evidence of the due and  
980 proper appointment of such commissioner.

981 (f) The commissioners of a consolidated housing authority  
982 shall be appointed for staggered terms of 4 years, except that  
983 the terms of the initial appointees may be truncated to stagger



723600

576-04098-15

984 them properly, and all vacancies shall be filled for the  
985 unexpired terms. Each commissioner shall hold office until a  
986 successor has been appointed and has qualified, except as  
987 otherwise provided herein. The appointing authority shall  
988 thereafter appoint the successor of each commissioner.

989 (g) The commissioners of a consolidated housing authority  
990 shall elect a chair from among the commissioners and shall have  
991 power to select or employ such other officers and employees as  
992 the housing authority may require. A majority of the  
993 commissioners of a consolidated housing authority shall  
994 constitute a quorum of such authority for the purpose of  
995 conducting its business and exercising its powers and for all  
996 other purposes.

997 (4) POWERS AND DUTIES.—Except as otherwise provided herein,  
998 a consolidated housing authority and the commissioners thereof  
999 shall, within the area of operation of such consolidated housing  
1000 authority, have the same functions, rights, powers, duties,  
1001 privileges, and immunities provided for housing authorities  
1002 created for cities or counties. A consolidated housing authority  
1003 shall have power to select any appropriate corporate name.

1004 Section 15. Section 421.32, Florida Statutes, is amended to  
1005 read:

1006 421.32 Rural housing projects.—County housing authorities,  
1007 consolidated housing authorities, and regional housing  
1008 authorities are specifically empowered and authorized to borrow  
1009 money, accept grants, and exercise their other powers to provide  
1010 housing for farmers of low income and domestic farm labor as  
1011 defined in s. 514 of the Federal Housing Act of 1949. In  
1012 connection with such projects, any such housing authority may



723600

576-04098-15

1013 enter into such leases or purchase agreements, accept such  
1014 conveyances, and rent or sell dwellings forming part of such  
1015 projects to or for farmers of low income, as such housing  
1016 authority deems necessary in order to assure the achievement of  
1017 the objectives of this law. Such leases, agreements, or  
1018 conveyances may include such covenants as the housing authority  
1019 deems appropriate regarding such dwellings and the tracts of  
1020 land described in any such instrument, which covenants shall be  
1021 deemed to run with the land when ~~where~~ the housing authority  
1022 deems it necessary and the parties to such instrument so  
1023 stipulate. In providing housing for farmers of low income,  
1024 county housing authorities, consolidated housing authorities,  
1025 and regional housing authorities are ~~shall~~ not be subject to the  
1026 limitations provided in ss. 421.08(1)(c) ~~421.08(3)~~ and  
1027 421.10(3). ~~Nothing contained in This section does not limit~~  
1028 ~~shall be construed as limiting~~ any other powers of any housing  
1029 authority.

1030 Section 16. Section 421.321, Florida Statutes, is amended  
1031 to read:

1032 421.321 Execution of mortgages.—County, consolidated, and  
1033 regional housing authorities organized under this chapter are  
1034 authorized to execute mortgages encumbering real property as  
1035 security for loans made for providing facilities for domestic  
1036 farm labor pursuant to s. 514 of the Federal Housing Act of  
1037 1949.

1038 Section 17. Section 421.33, Florida Statutes, is amended to  
1039 read:

1040 421.33 Housing applications by farmers.—The owner of any  
1041 farm operated, or worked upon, by farmers of low income in need



723600

576-04098-15

1042 of safe and sanitary housing may file an application with a  
1043 housing authority created for a county, consolidated, or a  
1044 regional housing authority requesting that it provide for a safe  
1045 and sanitary dwelling or dwellings for occupancy by such farmers  
1046 of low income. Such applications shall be received and examined  
1047 by housing authorities in connection with the formulation of  
1048 projects or programs to provide housing for farmers of low  
1049 income. ~~Provided,~~ However, ~~that~~ if it becomes necessary for an  
1050 applicant under this section to convey any portion of the  
1051 applicant's then homestead in order to take advantages as  
1052 provided herein, then in that event, ~~the~~ parting with title to a  
1053 portion of said homestead shall not affect the remaining portion  
1054 of same, but all rights that said owner may have in and to same  
1055 under and by virtue of the State Constitution ~~of the state~~ or  
1056 any law passed pursuant thereto, ~~shall~~ be deemed and held to  
1057 apply to such remaining portion of said land, the title of which  
1058 remains in said applicant. ~~it being the intention of~~ The  
1059 Legislature intends to permit the owner of any farm operated or  
1060 worked upon by farmers of low income in need of safe and  
1061 sanitary housing to take advantage of the provisions of this law  
1062 without jeopardizing the owner's ~~their~~ rights in the owner's  
1063 ~~their~~ then homestead by reason of any requirement that may be  
1064 necessary in order ~~for them~~ to receive the benefits herein  
1065 provided, ~~and~~ no court shall ever construe that an applicant  
1066 who has taken advantage of this law has in any manner, shape, or  
1067 form abandoned his or her rights in any property that is the  
1068 applicant's then homestead by virtue of such action upon his or  
1069 her part, but it shall be held, construed, and deemed that such  
1070 action upon the part of any applicant hereunder was not any



723600

576-04098-15

1071 abandonment of the applicant's then homestead, and that all  
1072 rights that the applicant then had therein shall be and remain  
1073 as provided by the State Constitution and any law enacted  
1074 pursuant thereto.

1075 Section 18. This act shall take effect July 1, 2015.