

By Senator Latvala

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1                                   A bill to be entitled  
2       An act relating to housing for the homeless; amending  
3       s. 420.5087, F.S.; requiring that the reservation of  
4       funds within each notice of fund availability to  
5       persons who are homeless and persons with special  
6       needs be at least 10 percent of the funds available at  
7       the time of the notice; amending s. 420.622, F.S.;  
8       requiring that the State Office on Homelessness  
9       coordinate among certain agencies and providers to  
10      produce a statewide consolidated inventory for the  
11      state's entire system of homeless programs which  
12      incorporates regionally developed plans; directing the  
13      Council on Homelessness to develop a statewide  
14      Management Information System and requiring future  
15      participation of certain award or grant recipients;  
16      requiring the State Office on Homelessness to accept  
17      and administer moneys appropriated to it to provide  
18      annual Challenge Grants to certain lead agencies of  
19      homeless assistance continuums of care; removing the  
20      requirement that levels of grant awards be based upon  
21      the total population within the continuum of care  
22      catchment area and reflect the differing degrees of  
23      homelessness in the catchment planning areas;  
24      requiring certain continuum of care plans to implement  
25      a coordinated assessment or central intake system in  
26      conjunction with the statewide Management Information  
27      System to screen, assess, and refer persons seeking  
28      assistance to the appropriate service provider;  
29      providing that preference for a grant award must be

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30 given to those lead agencies that have demonstrated  
31 the ability to leverage specified federal homeless-  
32 assistance funding with local government funding, as  
33 well as private funding, for the provision of services  
34 to homeless persons; requiring, rather than  
35 authorizing, a lead agency to provide subgrants to a  
36 local agency to implement programs or services or  
37 provide housing identified for funding; decreasing the  
38 maximum percent of funding that a lead agency may  
39 spend on administrative costs; directing the State  
40 Office on Homelessness to administer moneys  
41 appropriated to it to provide homeless housing  
42 assistance grants annually to lead agencies for  
43 specified purposes; revising preference conditions  
44 relating to grant applicants; requiring the State  
45 Office on Homelessness, in conjunction with the  
46 Council on Homelessness, to establish specific  
47 objectives by which it may evaluate the outcomes of  
48 certain lead agencies; requiring that any funding  
49 through the State Office on Homelessness be  
50 distributed to lead agencies based on their  
51 performance and achievement of specified objectives;  
52 revising the factors that may be included as criteria  
53 for evaluating the performance of lead agencies;  
54 amending s. 420.624, F.S.; revising requirements for  
55 the local homeless assistance continuum of care plan;  
56 providing that the components of a continuum of care  
57 plan should include Rapid ReHousing; requiring that  
58 specified components of a continuum of care plan be

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59 coordinated and integrated with other specified  
60 services and programs; creating s. 420.6265, F.S.;  
61 providing legislative findings and intent relating to  
62 Rapid ReHousing; providing a Rapid ReHousing  
63 methodology; amending s. 420.9073, F.S.; requiring the  
64 corporation to first distribute a certain percentage  
65 of the total amount to be distributed each fiscal year  
66 from the Local Government Housing Trust Fund to the  
67 Department of Children and Families, subject to  
68 certain requirements; amending s. 420.9075, F.S.;  
69 providing that a certain partnership process of the  
70 State Housing Initiatives Partnership Program should  
71 involve lead agencies of local homeless assistance  
72 continuums of care; encouraging counties and eligible  
73 municipalities to develop a strategy within their  
74 local housing assistance plans which provides program  
75 funds for reducing homelessness; revising the criteria  
76 that apply to awards made to sponsors or persons for  
77 the purpose of providing housing; requiring that a  
78 specified report submitted by counties and  
79 municipalities include a description of efforts to  
80 reduce homelessness; creating s. 420.9089, F.S.;  
81 requiring that funds made available to the state from  
82 the National Housing Trust Fund be deposited into the  
83 State Housing Trust Fund and be used for certain  
84 purposes; directing the Florida Housing Finance  
85 Corporation to create a grant process for nonprofits  
86 to distribute such funds subject to certain  
87 requirements; amending s. 420.9071, F.S.; conforming a

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88 provision to changes made by the act; providing an  
89 effective date.

90

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

92

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

95 420.5087 State Apartment Incentive Loan Program.—There is  
96 hereby created the State Apartment Incentive Loan Program for  
97 the purpose of providing first, second, or other subordinated  
98 mortgage loans or loan guarantees to sponsors, including for-  
99 profit, nonprofit, and public entities, to provide housing  
100 affordable to very-low-income persons.

101 (3) During the first 6 months of loan or loan guarantee  
102 availability, program funds shall be reserved for use by  
103 sponsors who provide the housing set-aside required in  
104 subsection (2) for the tenant groups designated in this  
105 subsection. The reservation of funds to each of these groups  
106 shall be determined using the most recent statewide very-low-  
107 income rental housing market study available at the time of  
108 publication of each notice of fund availability required by  
109 paragraph (6) (b). The reservation of funds within each notice of  
110 fund availability to the tenant groups specified in this  
111 subsection must be at least ~~in paragraphs (a), (b), and (c) may~~  
112 ~~not be less than~~ 10 percent of the funds available at that time.  
113 Any increase in funding required to reach the 10-percent minimum  
114 must be taken from the tenant group that has the largest  
115 reservation. ~~The reservation of funds within each notice of fund~~  
116 ~~availability to the tenant group in paragraph (c) may not be~~

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117 ~~less than 5 percent of the funds available at that time. The~~  
118 ~~reservation of funds within each notice of fund availability to~~  
119 ~~the tenant group in paragraph (d) may not be more than 10~~  
120 ~~percent of the funds available at that time. The tenant groups~~  
121 are:

- 122 (a) Commercial fishing workers and farmworkers;
- 123 (b) Families;
- 124 (c) Persons who are homeless;
- 125 (d) Persons with special needs; and
- 126 (e) Elderly persons. Ten percent of the amount reserved for

127 the elderly shall be reserved to provide loans to sponsors of  
128 housing for the elderly for the purpose of making building  
129 preservation, health, or sanitation repairs or improvements  
130 which are required by federal, state, or local regulation or  
131 code, or lifesafety or security-related repairs or improvements  
132 to such housing. Such a loan may not exceed \$750,000 per housing  
133 community for the elderly. In order to receive the loan, the  
134 sponsor of the housing community must make a commitment to match  
135 at least 5 percent of the loan amount to pay the cost of such  
136 repair or improvement. The corporation shall establish the rate  
137 of interest on the loan, which may not exceed 3 percent, and the  
138 term of the loan, which may not exceed 15 years; however, if the  
139 lien of the corporation's encumbrance is subordinate to the lien  
140 of another mortgagee, then the term may be made coterminous with  
141 the longest term of the superior lien. The term of the loan  
142 shall be based on a credit analysis of the applicant. The  
143 corporation may forgive indebtedness for a share of the loan  
144 attributable to the units in a project reserved for extremely-  
145 low-income elderly by nonprofit organizations, as defined in s.

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146 420.0004(5), where the project has provided affordable housing  
147 to the elderly for 15 years or more. The corporation shall  
148 establish, by rule, the procedure and criteria for receiving,  
149 evaluating, and competitively ranking all applications for loans  
150 under this paragraph. A loan application must include evidence  
151 of the first mortgagee's having reviewed and approved the  
152 sponsor's intent to apply for a loan. A nonprofit organization  
153 or sponsor may not use the proceeds of the loan to pay for  
154 administrative costs, routine maintenance, or new construction.

155 Section 2. Paragraphs (a) and (b) of subsection (3),  
156 subsections (4), (5), and (6) of section 420.622, Florida  
157 Statutes, are amended to read:

158 420.622 State Office on Homelessness; Council on  
159 Homelessness.—

160 (3) The State Office on Homelessness, pursuant to the  
161 policies set by the council and subject to the availability of  
162 funding, shall:

163 (a) Coordinate among state, local, and private agencies and  
164 providers to produce a statewide consolidated inventory program  
165 ~~and financial plan~~ for the state's entire system of homeless  
166 programs which incorporates regionally developed plans. Such  
167 programs include, but are not limited to:

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

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

173 (b) Collect, maintain, and make available information  
174 concerning persons who are homeless or at risk for homelessness,

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175 including demographics information, current services and  
176 resources available, the cost and availability of services and  
177 programs, and the met and unmet needs of this population. All  
178 entities that receive state funding must provide access to all  
179 data they maintain in summary form, with no individual  
180 identifying information, to assist the council in providing this  
181 information. The council shall develop ~~explore the potential of~~  
182 ~~creating~~ a statewide Management Information System (MIS),  
183 requiring ~~encouraging~~ the future participation of any bodies  
184 that are receiving awards or grants from the state, in the if  
185 ~~such a system were adopted, enacted, and accepted~~ by the state.

186 (4) The State Office on Homelessness, with the concurrence  
187 of the Council on Homelessness, shall ~~may~~ accept and administer  
188 moneys appropriated to it to provide annual "Challenge Grants"  
189 to lead agencies of homeless assistance continuums of care  
190 designated by the State Office on Homelessness pursuant to s.  
191 420.624. The department shall establish varying levels of grant  
192 awards up to \$500,000 per lead agency. ~~Award levels shall be~~  
193 ~~based upon the total population within the continuum of care~~  
194 ~~catchment area and reflect the differing degrees of homelessness~~  
195 ~~in the catchment planning areas.~~ The department, in consultation  
196 with the Council on Homelessness, shall specify a grant award  
197 level in the notice of the solicitation of grant applications.

198 (a) To qualify for the grant, a lead agency must develop  
199 and implement a local homeless assistance continuum of care plan  
200 for its designated catchment area. The continuum of care plan  
201 must implement a coordinated assessment or central intake system  
202 in conjunction with the statewide Management Information System  
203 (MIS) to screen, assess, and refer persons seeking assistance to

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204 the appropriate service provider. The lead agency shall also  
205 document the commitment of local government and private  
206 organizations to provide matching funds or in-kind support in an  
207 amount equal to the grant requested.

208 (b) Preference must be given to those lead agencies that  
209 have demonstrated the ability of their continuum of care to  
210 provide quality services to homeless persons and the ability to  
211 leverage federal homeless-assistance funding under the Stewart  
212 B. McKinney Act with local government and private funding for  
213 the provision of services to homeless persons.

214 (c) Preference must be given to lead agencies in catchment  
215 areas with the greatest need for the provision of housing and  
216 services to the homeless, relative to the population of the  
217 catchment area.

218 (d) The grant may be used to fund any of the housing,  
219 program, or service needs included in the local homeless  
220 assistance continuum of care plan. The lead agency may allocate  
221 the grant to programs, services, or housing providers that  
222 implement the local homeless assistance continuum care plan. The  
223 lead agency shall ~~may~~ provide subgrants to a local agency to  
224 implement programs or services or provide housing identified for  
225 funding in the lead agency's application to the department. A  
226 lead agency may spend a maximum of 5 ~~8~~ percent of its funding on  
227 administrative costs.

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

232 (5) The State Office on Homelessness, with the concurrence



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233 of the Council on Homelessness, shall ~~may~~ administer moneys  
234 appropriated to it to provide homeless housing assistance grants  
235 annually to lead agencies for local homeless assistance  
236 continuum of care, as recognized by the State Office on  
237 Homelessness, to acquire, construct, or rehabilitate  
238 transitional or permanent housing units for homeless persons.  
239 These moneys shall consist of any sums that the state may  
240 appropriate, as well as money received from donations, gifts,  
241 bequests, or otherwise from any public or private source, which  
242 are intended to acquire, construct, or rehabilitate transitional  
243 or permanent housing units for homeless persons.

244 (a) Grant applicants shall be ranked competitively.  
245 Preference must be given to applicants who leverage additional  
246 private funds and public funds, particularly federal funds  
247 designated for the acquisition, construction, or rehabilitation  
248 of transitional or permanent housing for homeless persons; who  
249 acquire, build, or rehabilitate the greatest number of units; or  
250 ~~and~~ who acquire, build, or rehabilitate in catchment areas  
251 having the greatest need for housing for the homeless relative  
252 to the population of the catchment area.

253 (b) Funding for any particular project may not exceed  
254 \$750,000.

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

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

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

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

269 (6) The State Office on Homelessness, in conjunction with  
270 the Council on Homelessness, shall establish performance  
271 measures and specific objectives by which it may ~~to~~ evaluate the  
272 ~~effective~~ performance and outcomes of lead agencies that receive  
273 grant funds. Any funding through the State Office on  
274 Homelessness shall be distributed to lead agencies based on  
275 their overall performance and their achievement of specified  
276 objectives. Each lead agency for which grants are made under  
277 this section shall provide the State Office on Homelessness a  
278 thorough evaluation of the effectiveness of the program in  
279 achieving its stated purpose. In evaluating the performance of  
280 the lead agencies, the State Office on Homelessness shall base  
281 its criteria upon the program objectives, goals, and priorities  
282 that were set forth by the lead agencies in their proposals for  
283 funding. Such criteria may include, but not be limited to, the  
284 number of persons or households that are no longer homeless, the  
285 rate of recidivism to homelessness, and the number of persons  
286 who obtain gainful employment ~~homeless individuals provided~~  
287 ~~shelter, food, counseling, and job training.~~

288 Section 3. Subsections (3), (7), and (8) of section  
289 420.624, Florida Statutes, are amended to read:

290 420.624 Local homeless assistance continuum of care.-

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291 (3) Communities or regions seeking to implement a local  
292 homeless assistance continuum of care are encouraged to develop  
293 and annually update a written plan that includes a vision for  
294 the continuum of care, an assessment of the supply of and demand  
295 for housing and services for the homeless population, and  
296 specific strategies and processes for providing the components  
297 of the continuum of care. The State Office on Homelessness, in  
298 conjunction with the Council on Homelessness, shall include in  
299 the plan a methodology for assessing performance and outcomes.

300 The State Office on Homelessness shall supply a standardized  
301 format for written plans, including the reporting of data.

302 (7) The components of a continuum of care plan should  
303 include:

304 (a) Outreach, intake, and assessment procedures in order to  
305 identify the service and housing needs of an individual or  
306 family and to link them with appropriate housing, services,  
307 resources, and opportunities;

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

310 (c) Transitional housing;

311 (d) Supportive services, designed to assist with the  
312 development of the skills necessary to secure and retain  
313 permanent housing;

314 (e) Permanent supportive housing;

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

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

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

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320        (i)~~(h)~~ Services and resources to prevent housed persons  
321 from becoming or returning to homelessness; and  
322        (j)~~(i)~~ An ongoing planning mechanism to address the needs  
323 of all subgroups of the homeless population, including but not  
324 limited to:

- 325            1. Single adult males;
- 326            2. Single adult females;
- 327            3. Families with children;
- 328            4. Families with no children;
- 329            5. Unaccompanied children and youth;
- 330            6. Elderly persons;
- 331            7. Persons with drug or alcohol addictions;
- 332            8. Persons with mental illness;
- 333            9. Persons with dual or multiple physical or mental  
334 disorders;
- 335            10. Victims of domestic violence; and
- 336            11. Persons living with HIV/AIDS.

337        (8) Continuum of care plans must promote participation by  
338 all interested individuals and organizations and may not exclude  
339 individuals and organizations on the basis of race, color,  
340 national origin, sex, handicap, familial status, or religion.  
341 Faith-based organizations must be encouraged to participate. To  
342 the extent possible, these components shall ~~should~~ be  
343 coordinated and integrated with other mainstream health, social  
344 services, and employment programs for which homeless populations  
345 may be eligible, including Medicaid, State Children's Health  
346 Insurance Program, Temporary Assistance for Needy Families, Food  
347 Assistance Program, and services funded through the Mental  
348 Health and Substance Abuse Block Grant, the Workforce Investment

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349 Act, and the welfare-to-work grant program.

350 Section 4. Section 420.6265, Florida Statutes, is created  
351 to read:

352 420.6265 Rapid ReHousing.-

353 (1) LEGISLATIVE FINDINGS AND INTENT.-

354 (a) The Legislature finds that Rapid ReHousing is a  
355 strategy of using temporary financial assistance and case  
356 management to quickly move a person or family out of  
357 homelessness and into permanent housing.

358 (b) The Legislature also finds that, for most of the past  
359 two decades, public and private solutions to homelessness have  
360 focused on providing individuals and families who are  
361 experiencing homelessness with emergency shelter, transitional  
362 housing, or a combination of both. While emergency shelter and  
363 transitional housing programs may provide critical access to  
364 services for individuals and families in crisis, they often fail  
365 to address their long-term needs.

366 (c) The Legislature further finds that most households  
367 become homeless as a result of a financial crisis that prevents  
368 them from paying rent or a domestic conflict that results in one  
369 member being ejected or leaving without resources or a plan for  
370 housing.

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

375 (e) It is therefore the intent of the Legislature to  
376 encourage homeless continuums of care to adopt the Rapid  
377 ReHousing approach to preventing homelessness for individuals

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378 and families who do not require the intense level of supports  
379 provided in the Permanent Supportive Housing model.

380 (2) RAPID REHOUSING METHODOLOGY.-

381 (a) The Rapid ReHousing approach to homelessness differs  
382 from traditional approaches to addressing homelessness by  
383 focusing on each individual's or family's barriers to returning  
384 to housing. By using this approach, communities can  
385 significantly reduce the amount of time that individuals and  
386 families are homeless and prevent further episodes of  
387 homelessness.

388 (b) In Rapid ReHousing, an individual or family is  
389 identified as being homeless, temporary assistance is provided  
390 to allow the individual or family to obtain permanent housing as  
391 quickly as possible, and, if needed, assistance is provided to  
392 allow the individual or family to retain housing.

393 (c) The objective of Rapid ReHousing is to provide  
394 assistance for as short a term as possible so that the  
395 individual or family receiving assistance does not develop a  
396 dependency on the assistance.

397 Section 5. Present subsections (5) through (7) of section  
398 420.9073, Florida Statutes, are redesignated as subsections (6)  
399 through (8), and a new subsection (5) is added to that section,  
400 to read:

401 420.9073 Local housing distributions.-

402 (5) Notwithstanding subsections (1)-(4), the corporation  
403 shall first distribute 4 percent of the total amount to be  
404 distributed in a given fiscal year from the Local Government  
405 Housing Trust Fund to the Department of Children and Families  
406 and the Department of Economic Opportunity as follows:

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407       (a) The Department of Children and Families shall receive  
408 95 percent of such amount to provide operating funds and other  
409 support to the designated lead agency in each continuum of care  
410 for the benefit of the designated catchment area as described in  
411 s. 420.624.

412       (b) The Department of Economic Opportunity shall receive 5  
413 percent of such amount to provide training and technical  
414 assistance to lead agencies receiving operating funds and other  
415 support under paragraph (a) in accordance with s. 420.606(3).  
416 Training and technical assistance funded by this distribution  
417 shall be provided by a nonprofit entity that meets the  
418 requirements of s. 420.531.

419       Section 6. Paragraph (a) of subsection (2) of section  
420 420.9075, Florida Statutes, is amended, paragraph (f) is added  
421 to subsection (3), subsection (5) of that section is amended,  
422 and paragraph (i) is added to subsection (10) of that section,  
423 to read:

424       420.9075 Local housing assistance plans; partnerships.—

425       (2) (a) Each county and each eligible municipality  
426 participating in the State Housing Initiatives Partnership  
427 Program shall encourage the involvement of appropriate public  
428 sector and private sector entities as partners in order to  
429 combine resources to reduce housing costs for the targeted  
430 population. This partnership process should involve:

- 431           1. Lending institutions.
- 432           2. Housing builders and developers.
- 433           3. Nonprofit and other community-based housing and service  
434 organizations.
- 435           4. Providers of professional services relating to

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436 affordable housing.

437 5. Advocates for low-income persons, including, but not  
438 limited to, homeless people, the elderly, and migrant  
439 farmworkers.

440 6. Real estate professionals.

441 7. Other persons or entities who can assist in providing  
442 housing or related support services.

443 8. Lead agencies of local homeless assistance continuums of  
444 care.

445 (3)

446 (f) Each county and each eligible municipality is  
447 encouraged to develop a strategy within its local housing  
448 assistance plan which provides program funds for reducing  
449 homelessness.

450 (5) ~~For~~ ~~The following criteria apply to~~ awards made to  
451 eligible sponsors or eligible persons for the purpose of  
452 providing eligible housing, ~~+~~

453 ~~(a) At least 65 percent of the funds made available in each~~  
454 ~~county and eligible municipality from the local housing~~  
455 ~~distribution must be reserved for home ownership for eligible~~  
456 ~~persons.~~

457 ~~(b) At least 75 percent of the funds made available in each~~  
458 ~~county and eligible municipality from the local housing~~  
459 ~~distribution must be reserved for construction, rehabilitation,~~  
460 ~~or emergency repair of affordable, eligible housing.~~

461 ~~(c) Not more than 20 percent of the funds made available in~~  
462 ~~each county and eligible municipality from the local housing~~  
463 ~~distribution may be used for manufactured housing.~~

464 ~~(d) The sales price or value of new or existing eligible~~



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465 ~~housing may not exceed 90 percent of the average area purchase~~  
466 ~~price in the statistical area in which the eligible housing is~~  
467 ~~located. Such average area purchase price may be that calculated~~  
468 ~~for any 12 month period beginning not earlier than the fourth~~  
469 ~~calendar year prior to the year in which the award occurs or as~~  
470 ~~otherwise established by the United States Department of the~~  
471 ~~Treasury.~~

472 ~~(e)1. all units constructed, rehabilitated, or otherwise~~  
473 ~~assisted with the funds provided from the local housing~~  
474 ~~assistance trust fund must be occupied by very-low-income~~  
475 ~~persons, low-income persons, and moderate-income persons except~~  
476 ~~as otherwise provided in this section.~~

477 ~~2. At least 30 percent of the funds deposited into the~~  
478 ~~local housing assistance trust fund must be reserved for awards~~  
479 ~~to very-low-income persons or eligible sponsors who will serve~~  
480 ~~very-low-income persons and at least an additional 30 percent of~~  
481 ~~the funds deposited into the local housing assistance trust fund~~  
482 ~~must be reserved for awards to low-income persons or eligible~~  
483 ~~sponsors who will serve low-income persons. This subparagraph~~  
484 ~~does not apply to a county or an eligible municipality that~~  
485 ~~includes, or has included within the previous 5 years, an area~~  
486 ~~of critical state concern designated or ratified by the~~  
487 ~~Legislature for which the Legislature has declared its intent to~~  
488 ~~provide affordable housing. The exemption created by this act~~  
489 ~~expires on July 1, 2013, and shall apply retroactively.~~

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

493 ~~(g) Loans or grants for eligible rental housing~~

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494 ~~constructed, rehabilitated, or otherwise assisted from the local~~  
495 ~~housing assistance trust fund must be subject to recapture~~  
496 ~~requirements as provided by the county or eligible municipality~~  
497 ~~in its local housing assistance plan unless reserved for~~  
498 ~~eligible persons for 15 years or the term of the assistance,~~  
499 ~~whichever period is longer. Eligible sponsors that offer rental~~  
500 ~~housing for sale before 15 years or that have remaining~~  
501 ~~mortgages funded under this program must give a first right of~~  
502 ~~refusal to eligible nonprofit organizations for purchase at the~~  
503 ~~current market value for continued occupancy by eligible~~  
504 ~~persons.~~

505 ~~(h) Loans or grants for eligible owner-occupied housing~~  
506 ~~constructed, rehabilitated, or otherwise assisted from proceeds~~  
507 ~~provided from the local housing assistance trust fund shall be~~  
508 ~~subject to recapture requirements as provided by the county or~~  
509 ~~eligible municipality in its local housing assistance plan.~~

510 ~~(i) The total amount of monthly mortgage payments or the~~  
511 ~~amount of monthly rent charged by the eligible sponsor or her or~~  
512 ~~his designee must be made affordable.~~

513 ~~(j) The maximum sales price or value per unit and the~~  
514 ~~maximum award per unit for eligible housing benefiting from~~  
515 ~~awards made pursuant to this section must be established in the~~  
516 ~~local housing assistance plan.~~

517 ~~(k) The benefit of assistance provided through the State~~  
518 ~~Housing Initiatives Partnership Program must accrue to eligible~~  
519 ~~persons occupying eligible housing. This provision shall not be~~  
520 ~~construed to prohibit use of the local housing distribution~~  
521 ~~funds for a mixed income rental development.~~

522 ~~(l) Funds from the local housing distribution not used to~~

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523 ~~meet the criteria established in paragraph (a) or paragraph (b)~~  
524 ~~or not used for the administration of a local housing assistance~~  
525 ~~plan must be used for housing production and finance activities,~~  
526 ~~including, but not limited to, financing preconstruction~~  
527 ~~activities or the purchase of existing units, providing rental~~  
528 ~~housing, and providing home ownership training to prospective~~  
529 ~~home buyers and owners of homes assisted through the local~~  
530 ~~housing assistance plan.~~

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

534 ~~2. When preconstruction due diligence activities conducted~~  
535 ~~as part of a preservation strategy show that preservation of the~~  
536 ~~units is not feasible and will not result in the production of~~  
537 ~~an eligible unit, such costs shall be deemed a program expense~~  
538 ~~rather than an administrative expense if such program expenses~~  
539 ~~do not exceed 3 percent of the annual local housing~~  
540 ~~distribution.~~

541 ~~3. If both an award under the local housing assistance plan~~  
542 ~~and federal low income housing tax credits are used to assist a~~  
543 ~~project and there is a conflict between the criteria prescribed~~  
544 ~~in this subsection and the requirements of s. 42 of the Internal~~  
545 ~~Revenue Code of 1986, as amended, the county or eligible~~  
546 ~~municipality may resolve the conflict by giving precedence to~~  
547 ~~the requirements of s. 42 of the Internal Revenue Code of 1986,~~  
548 ~~as amended, in lieu of following the criteria prescribed in this~~  
549 ~~subsection with the exception of paragraphs (a) and (e) of this~~  
550 ~~subsection.~~

551 ~~4. Each county and each eligible municipality may award~~

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552 ~~funds as a grant for construction, rehabilitation, or repair as~~  
553 ~~part of disaster recovery or emergency repairs or to remedy~~  
554 ~~accessibility or health and safety deficiencies. Any other~~  
555 ~~grants must be approved as part of the local housing assistance~~  
556 ~~plan.~~

557 (10) Each county or eligible municipality shall submit to  
558 the corporation by September 15 of each year a report of its  
559 affordable housing programs and accomplishments through June 30  
560 immediately preceding submittal of the report. The report shall  
561 be certified as accurate and complete by the local government's  
562 chief elected official or his or her designee. Transmittal of  
563 the annual report by a county's or eligible municipality's chief  
564 elected official, or his or her designee, certifies that the  
565 local housing incentive strategies, or, if applicable, the local  
566 housing incentive plan, have been implemented or are in the  
567 process of being implemented pursuant to the adopted schedule  
568 for implementation. The report must include, but is not limited  
569 to:

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

571 Section 7. Section 420.9089, Florida Statutes, is created  
572 to read:

573 420.9089 National Housing Trust Fund.—Funds made available  
574 to the state from the National Housing Trust Fund shall be  
575 deposited into the State Housing Trust Fund. Such funds shall be  
576 used to develop and construct housing to reduce homelessness in  
577 this state. The Florida Housing Finance Corporation shall create  
578 a grant process to award funds to nonprofits, based on a  
579 demonstration of need and local government participation, to  
580 construct housing for extremely low-income individuals and

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581 families.

582 Section 8. Subsection (25) of section 420.9071, Florida  
583 Statutes, is amended to read:

584 420.9071 Definitions.—As used in ss. 420.907-420.9079, the  
585 term:

586 (25) "Recaptured funds" means funds that are recouped by a  
587 county or eligible municipality in accordance with the recapture  
588 provisions of its local housing assistance plan pursuant to s.  
589 ~~420.9075(5)(h) from eligible persons or eligible sponsors, which~~  
590 ~~funds were not used for assistance to an eligible household for~~  
591 ~~an eligible activity, when there is a default on the terms of a~~  
592 ~~grant award or loan award.~~

593 Section 9. This act shall take effect July 1, 2015.