

By Senator Soto

14-01224A-15

20151520__

1 A bill to be entitled
2 An act relating to housing for low-income persons;
3 amending s. 421.02, F.S.; revising the legislative
4 declaration of necessity; amending s. 421.03, F.S.;
5 redefining terms; defining the terms "blighted area"
6 and "essential commercial goods and services";
7 amending s. 421.04, F.S.; prohibiting a housing
8 authority from applying to the Federal Government to
9 seize projects, units, or vouchers of another
10 established housing authority; amending s. 421.05,
11 F.S.; providing an exemption for authorities from s.
12 215.425, F.S.; amending s. 421.06, F.S.; prohibiting
13 commissioners or employees from acquiring interests in
14 certain commercial projects; requiring commissioners
15 or employees to disclose interests in commercial
16 projects under certain circumstances; amending s.
17 421.08, F.S.; revising the powers of an authority;
18 requiring that revenue received by a housing authority
19 from certain commercial projects be used for
20 affordable housing; conforming a cross-reference;
21 amending s. 421.09, F.S.; conforming a cross-
22 reference; amending s. 421.091, F.S.; requiring a full
23 financial accounting and audit of public housing
24 agencies to be submitted to the Federal Government
25 pursuant to certain requirements; exempting housing
26 authorities from specified reporting requirements;
27 amending s. 421.21, F.S.; revising legislative intent;
28 amending s. 421.28, F.S.; creating a "consolidated
29 housing authority"; revising provisions relating to

14-01224A-15

20151520__

30 the creation of a consolidated housing authority;
31 providing that no more than three housing authorities
32 may be combined within a specified period under
33 certain circumstances; amending s. 421.29, F.S.;
34 revising provisions relating to the area of operation
35 of a consolidated housing authority; conforming
36 provisions to changes made by the act; amending s.
37 421.30, F.S.; requiring a consolidated plan to include
38 a provision for the distribution of appointments among
39 certain authorities; providing appointment
40 requirements under certain circumstances; authorizing
41 the number of commissioners to be increased under
42 certain circumstances; requiring commissioners to be
43 appointed for staggered terms; providing that the
44 terms of the initial appointees may be truncated to
45 stagger the terms; amending s. 421.31, F.S.; revising
46 provisions relating to the powers of a consolidated
47 housing authority; removing definitions; deleting
48 provisions relating to the appointment, removal, and
49 suspension of certain commissioners; amending s.
50 421.32, F.S.; conforming provisions to changes made by
51 the act; conforming a cross-reference; amending s.
52 421.321, F.S.; conforming provisions to changes made
53 by the act; amending s. 421.50, F.S.; revising
54 provisions relating to decreasing the area of
55 operation of a consolidated authority; conforming
56 provisions to changes made by the act; amending s.
57 421.51, F.S.; providing that the governing body of a
58 city or county excluded from the area of operation of

14-01224A-15

20151520__

59 a consolidated housing authority may adopt a
60 resolution declaring that there is a need for a
61 housing authority; amending s. 422.02, F.S.; making a
62 finding that there is a lack of access to certain
63 essential commercial goods and services; amending s.
64 422.04, F.S.; authorizing state public bodies to
65 provide or cause to be provided commercial projects
66 that allow access to certain essential commercial
67 goods and services; amending s. 423.01, F.S.; making a
68 finding that certain projects for the clearance of
69 blighted areas and access to essential commercial
70 goods and services are required; making a finding that
71 facilities made available by housing authorities to
72 provide access to essential commercial goods and
73 services are a critical component for housing projects
74 and constitute a public use and governmental function;
75 making a finding that certain property used to provide
76 access to essential commercial goods and services is
77 exclusively for public uses and municipal purposes;
78 amending s. 423.02, F.S.; providing that the
79 activities or property of a person who provides
80 essential commercial goods and services is not exempt
81 from certain taxes and special assessments; exempting
82 real property of a housing authority which is used to
83 provide access to essential commercial goods and
84 services from ad valorem taxes and special
85 assessments; amending s. 893.13, F.S.; conforming a
86 cross-reference; providing an effective date.
87

14-01224A-15

20151520__

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

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90 Section 1. Section 421.02, Florida Statutes, is amended to
91 read:

92 421.02 Finding and declaration of necessity.—It is hereby
93 declared that:

94 (1) There exist in the state insanitary or unsafe dwelling
95 accommodations and that persons of low income are forced to
96 reside in such insanitary or unsafe accommodations; that within
97 the state there is a shortage of safe or sanitary dwelling
98 accommodations available at rents which persons of low income
99 can afford and that such persons are forced to occupy
100 overcrowded and congested dwelling accommodations; that such ~~the~~
101 ~~aforsaid~~ conditions cause an increase in and spread of disease
102 and crime and constitute a menace to the health, safety, morals,
103 and welfare of the residents of the state and impair economic
104 values; and that these conditions necessitate excessive and
105 disproportionate expenditures of public funds for crime
106 prevention and punishment, public health, welfare and safety,
107 fire and accident protection, and other public services and
108 facilities.

109 (2) Blighted areas in the state cannot be revitalized, nor
110 can the shortage of safe and sanitary dwellings for persons of
111 low income be relieved, solely through the operation of private
112 enterprise. However, the state encourages the use of housing
113 authority property in combination with private enterprise to
114 construct, rehabilitate, and otherwise provide safe and sanitary
115 dwelling conditions for persons of low income.

116 (3) The clearance, replanning, and reconstruction of the

14-01224A-15

20151520__

117 areas in which insanitary or unsafe housing conditions exist,
118 ~~and~~ the providing of safe and sanitary dwelling accommodations,
119 and the access to essential commercial goods and services
120 necessary for daily living for persons of low income, including
121 the acquisition by a housing authority of property to be used
122 for or in connection with housing projects or appurtenant
123 thereto, are exclusively public uses and purposes for which
124 public money may be spent and private property acquired and are
125 governmental functions of public concern.

126 (4) An important public purpose is served by providing
127 access to essential commercial goods and services necessary for
128 daily living for persons served by public housing authorities as
129 these persons often have limited transportation capacity and
130 significant family demands. Issues such as limited
131 transportation capacity and significant family demands
132 complicate daily living and make access to essential commercial
133 goods and services difficult.

134 (5)~~(4)~~ The necessity in the public interest for the
135 provisions hereinafter enacted, is hereby declared as a matter
136 of legislative determination.

137 Section 2. Section 421.03, Florida Statutes, is reordered
138 and amended to read:

139 421.03 Definitions.—~~As used~~ The following terms, wherever
140 ~~used or referred to~~ in this part, except where the context
141 clearly indicates otherwise, the term shall have the following
142 ~~respective meanings for the purposes of this part, unless a~~
143 ~~different meaning clearly appears from the context:~~

144 (2)~~(1)~~ "Authority" or "housing authority" means a shall
145 ~~mean any of the public corporation corporations~~ created pursuant

14-01224A-15

20151520__

146 to ~~by~~ s. 421.04.

147 (4)~~(2)~~ "City" means ~~shall mean~~ any city or town in this ~~of~~
 148 ~~the~~ state having a population of more than 2,500, according to
 149 the last preceding federal or state census. The term also means
 150 ~~"The city" shall mean~~ the particular city for which a particular
 151 housing authority is created.

152 (9)~~(3)~~ "Governing body" means ~~shall mean~~ the city council,
 153 the commission, or other legislative body charged with governing
 154 the city, ~~as the case may be~~.

155 (11)~~(4)~~ "Mayor" means ~~shall mean~~ the mayor of the city or
 156 the officer of the city ~~thereof~~ charged with the duties
 157 customarily imposed on the mayor or executive head of the city.

158 (5) "Clerk" means ~~shall mean~~ the clerk of the city or the
 159 officer of the city charged with the duties customarily imposed
 160 on the clerk ~~thereof~~.

161 (1)~~(6)~~ "Area of operation":

162 (a) In the case of a housing authority of a city having a
 163 population of fewer ~~less~~ than 25,000, includes ~~shall include~~
 164 such city and the area within 5 miles of its ~~the~~ territorial
 165 boundaries. ~~thereof; and~~

166 (b) In the case of a housing authority of a city having a
 167 population of 25,000 or more, includes ~~shall include~~ such city
 168 and the area within 10 miles from its ~~the~~ territorial
 169 boundaries. ~~thereof; provided~~ However, ~~that~~ the area of
 170 operation of a housing authority of a ~~any~~ city may ~~shall~~ not
 171 include any area that ~~which~~ lies within the territorial
 172 boundaries of another ~~some other~~ city ~~as herein defined; and may~~
 173 ~~further provided that the area of operation shall~~ not extend
 174 outside ~~of~~ the boundaries of the county in which the city is

14-01224A-15

20151520__

175 located. Such ~~and no~~ housing authority does not ~~shall~~ have any
 176 power or jurisdiction outside ~~of~~ the county in which the city is
 177 located.

178 (8) ~~(7)~~ "Federal Government" means ~~shall include~~ the United
 179 States Government, ~~the Federal Emergency Administration of~~
 180 ~~Public Works~~ or any department, commission, ~~other~~ agency, or
 181 other instrumentality thereof, ~~corporate or otherwise,~~ of the
 182 United States.

183 (3) ~~(8)~~ "Blighted area" means ~~"Slum"~~ ~~shall mean~~ any area
 184 where dwellings predominate which, by reason of dilapidation; ;
 185 overcrowding; ; faulty arrangement or design; ; lack of
 186 ventilation, light, or sanitary facilities; ; or any combination
 187 of these factors, are detrimental to safety, health, and morals.

188 (10) ~~(9)~~ "Housing project" means ~~shall mean~~ any work or
 189 undertaking:

190 (a) To demolish, clear, or remove buildings from any
 191 blighted slum area, which; ~~such work or undertaking~~ may embrace
 192 the adaption of such area to public purposes, including parks or
 193 other recreational or community purposes; ~~or~~

194 (b) To provide decent, safe, and sanitary urban or rural
 195 dwellings, apartments, or other living accommodations for
 196 persons of low income, which; ~~such work or undertaking~~ may
 197 include buildings, land, equipment, facilities and other real or
 198 personal property for necessary, convenient or desirable
 199 appurtenances, streets, sewers, water service, parks, site
 200 preparation, gardening, administrative, community, health,
 201 recreational, educational, welfare, or other purposes; ~~or~~

202 (c) To provide access to essential commercial goods and
 203 services; or

14-01224A-15

20151520__

204 (d)~~(e)~~ To accomplish a combination of these objectives ~~the~~
205 ~~foregoing~~. The term "housing project" also applies ~~may be~~
206 ~~applied~~ to the planning of the buildings and improvements;; ~~the~~
207 acquisition of property, the demolition of existing structures;; ~~the~~
208 the construction, reconstruction, alteration, and repair of the
209 improvements; and all other related work ~~in connection~~
210 ~~therewith~~.

211 (13)~~(10)~~ "Persons of low income" means ~~shall mean~~ persons
212 or families who lack the amount of income which is necessary, as
213 determined by the authority undertaking the housing project, to
214 enable them, without financial assistance, to live in decent,
215 safe, and sanitary dwellings, without overcrowding.

216 (6)~~(11)~~ "Debentures" means ~~shall mean~~ any notes, interim
217 certificates, debentures, revenue certificates, or other
218 obligations issued by an authority pursuant to this chapter.

219 (14)~~(12)~~ "Real property" includes ~~shall include~~ all lands,
220 including improvements and fixtures thereon, and property of any
221 nature appurtenant thereto, or used in connection therewith, and
222 every estate, interest, and ~~right,~~ legal or equitable right,
223 therein, including terms for years and liens by way of judgment,
224 mortgage, or otherwise and the indebtedness secured by such
225 liens.

226 (12)~~(13)~~ "Obligee of the authority" or "obligee" includes
227 ~~shall include~~ any holder of debentures, trustee or trustees for
228 any such holders, or lessor demising to the authority property
229 used in connection with a housing project, or any assignee or
230 assignees of such lessor's interest or any part thereof, and the
231 Federal Government when it is a party to any contract with the
232 authority.

14-01224A-15

20151520__

233 (7) "Essential commercial goods and services" means goods,
234 such as groceries and clothing, and services, such as child
235 care, K-12 education, financial services, job training and
236 placement, laundry facilities, and other local governmental
237 services, which are in close proximity to dwelling
238 accommodations of a housing authority and necessary for daily
239 living, which substantially serve persons of low income, and
240 which may be difficult for persons of low income to access
241 unless located in close proximity to the housing development
242 where the persons live.

243 Section 3. Subsection (4) is added to section 421.04,
244 Florida Statutes, to read:

245 421.04 Creation of housing authorities.—

246 (4) Regardless of the date of its creation, a housing
247 authority may not apply to the Federal Government to seize any
248 projects, units, or vouchers of another established housing
249 authority, irrespective of each housing authority's areas of
250 operation.

251 Section 4. Subsection (2) of section 421.05, Florida
252 Statutes, is amended to read:

253 421.05 Appointment, qualifications, and tenure of
254 commissioners; hiring of employees.—

255 (2) The powers of each authority shall be vested in the
256 commissioners thereof in office from time to time. A majority of
257 the commissioners constitutes ~~shall constitute~~ a quorum of the
258 authority ~~for the purpose of conducting its business and~~
259 ~~exercising its powers and for all other purposes.~~ Action may be
260 taken by the authority upon a vote of a majority of the
261 commissioners present, unless ~~in any case~~ the bylaws of the

14-01224A-15

20151520__

262 authority require a larger number. The mayor, with the
263 concurrence of the governing body, shall designate ~~which of the~~
264 ~~commissioners appointed shall be the first chair~~ from among the
265 appointed commissioners, but when the office subsequently ~~of the~~
266 ~~chair of the authority thereafter~~ becomes vacant, the authority
267 shall select a chair from among the ~~its~~ commissioners. An
268 authority shall also select from among the ~~its~~ commissioners a
269 vice chair. An authority; ~~and it~~ may employ a secretary, who
270 shall serve as ~~be~~ the executive director, technical experts, and
271 others ~~such other officers, agents, and employees, permanent and~~
272 ~~temporary, as it may require~~ and shall determine their
273 qualifications, duties, and compensation. Accordingly,
274 authorities are exempt from s. 215.425. ~~For such legal services~~
275 ~~as it may require~~, An authority may call upon the chief law
276 officer of the city or may employ its own counsel and legal
277 staff for legal services. An authority may delegate to one or
278 more of its agents or employees such powers or duties as it may
279 deem proper.

280 Section 5. Section 421.06, Florida Statutes, is amended to
281 read:

282 421.06 Commissioners or employees prohibited from acquiring
283 interests in housing projects and required to disclose interests
284 in specified properties; exception.—Except for the leasehold
285 interest held by a tenant-commissioner in the housing project in
286 which he or she is a tenant, a ~~no~~ commissioner or employee of an
287 authority may not ~~shall~~ acquire any interest, direct or
288 indirect, in any housing project or in any property included or
289 planned to be included in any project, or ~~nor shall he or she~~
290 have any interest, direct or indirect, in any contract or

14-01224A-15

20151520__

291 proposed contract for materials or services to be furnished or
292 used in connection with any housing project. If a commissioner
293 or employee of an authority owns or controls an interest, direct
294 or indirect, in any property included or planned to be included
295 in any housing project, he or she shall immediately disclose the
296 same in writing to the authority. Such disclosure shall be
297 entered upon the minutes of the authority. Failure ~~se~~ to
298 disclose such interest constitutes misconduct in office. This
299 section applies to any commercial project authorized under this
300 chapter.

301 Section 6. Section 421.08, Florida Statutes, is amended to
302 read:

303 421.08 Powers of authority.—

304 (1) An authority created pursuant to this chapter is a
305 public entity and is authorized shall constitute a public body
306 ~~corporate and politic, exercising the public and essential~~
307 ~~governmental functions set forth in this chapter, and having all~~
308 ~~the powers necessary or convenient to carry out and effectuate~~
309 ~~the purpose and provisions of this chapter, including the~~
310 ~~following powers in addition to others herein granted:~~

311 (a)(1) To sue and be sued; to have a seal and to alter it
312 ~~the same~~ at pleasure; to have perpetual succession; to make and
313 execute contracts and other instruments necessary or convenient
314 to the exercise of the powers of the authority; to appear in
315 court through any of its officers, agents, or employees, for the
316 exclusive purpose of filing eviction papers; and to make and
317 from time to time amend and repeal bylaws and, rules consistent
318 ~~and regulations, not inconsistent~~ with this chapter, to carry
319 into effect the powers and purposes of the authority.

14-01224A-15

20151520__

320 (b) ~~(2)~~ Within its area of operation, to prepare, carry out,
321 acquire, lease, and operate housing projects and ~~to~~ provide for
322 the construction, reconstruction, improvement, alteration, or
323 repair of any housing project ~~or any part thereof.~~

324 (c) ~~(3)~~ To arrange or contract for the furnishing by any
325 person or agency, public or private, of services, privileges,
326 works, or facilities for, or in connection with, a housing
327 project or the occupants thereof.

328 1. ~~; provided, however, that~~ Notwithstanding ~~any other~~
329 ~~power or provision in this chapter,~~ the authority may ~~shall~~ not
330 construct, lease, control, purchase, or otherwise establish in
331 connection with or as a part of any housing project or any other
332 real or ~~any~~ other property under its control, any system, work,
333 facilities, plants, or other equipment for the purpose of
334 furnishing utility service of any kind to such projects or to
335 any tenant or occupant thereof if ~~in the event that~~ a system,
336 work, facility, plant, or other equipment for the furnishing of
337 the same utility service is being actually operated by a
338 municipality or private concern in the area of operation or the
339 city or the territory immediately adjacent thereto. This
340 subparagraph does not; ~~provided, further, that nothing herein~~
341 ~~shall be construed to~~ prohibit the construction or acquisition
342 by the authority of:

343 a. Any system, work, facilities, or other equipment for the
344 sole ~~and only~~ purpose of receiving utility services from any
345 such municipality or such private concern which are ~~and~~ then
346 distributed ~~distributing such utility services~~ to the project
347 and its ~~to the~~ tenants and occupants thereof; or ~~and~~,

348 b. Any renewable energy devices or systems to be installed

14-01224A-15

20151520__

349 and located upon housing authority property for the sole purpose
350 of reducing utility costs to its tenants or occupants.

351 2. ~~Notwithstanding anything to the contrary contained in~~
352 ~~this chapter or in any other provision of law, the authority may~~
353 ~~to include in any contract let in connection with a project,~~
354 ~~stipulations requiring that the contractor and any~~
355 ~~subcontractors comply with requirements as to minimum wages and~~
356 ~~maximum hours of labor, and comply with any conditions that~~
357 ~~which the Federal Government may have attached to its financial~~
358 assistance aid of the project.

359 (d) ~~(4)~~ To lease or rent any dwellings, houses,
360 accommodations, lands, buildings, structures, or facilities
361 embraced in any housing project and, subject to the limitations
362 contained in this chapter, to establish and revise the rents or
363 charges therefor; to own, hold, and improve real or personal
364 property; to purchase, lease, obtain options upon, acquire by
365 gift, grant, bequest, devise, or otherwise any real or personal
366 property or any interest therein; to acquire by the exercise of
367 the power of eminent domain any real property, except real
368 property to be used to provide access to essential commercial
369 goods and services; to sell, lease, exchange, transfer, assign,
370 pledge, or dispose of any real or personal property or any
371 interest therein; to insure or provide for the insurance of any
372 real or personal property or operations of the authority against
373 any risks or hazards; and to procure or agree to the procurement
374 of insurance or guarantees from the Federal Government of the
375 payment of any such debts or parts thereof, regardless of
376 whether they are ~~or not~~ incurred by the ~~said~~ authority,
377 including the power to pay premiums on any such insurance.

14-01224A-15

20151520__

378 (e) ~~(5)~~ To invest any funds held in reserves or sinking
379 funds and, ~~or~~ any funds not required for immediate disbursement,
380 in property or securities in which savings banks may legally
381 invest funds subject to their control and ~~+~~ to purchase its
382 debentures at a price not exceeding ~~more than~~ the principal
383 amount thereof and accrued interest, with all debentures so
384 purchased to be canceled.

385 (f) ~~(6)~~ Within its area of operation, + to investigate the
386 ~~into~~ living, dwelling, and housing conditions and ~~into the means~~
387 ~~and~~ methods of improving such conditions; to determine where
388 blighted ~~slum~~ areas exist or where there is a shortage of
389 decent, safe, and sanitary dwelling accommodations for persons
390 of low income; to make studies and recommendations relating to
391 the problem of clearing, replanning, and reconstruction of
392 blighted ~~slum~~ areas and the problem of providing dwelling
393 accommodations for persons of low income; to administer fair
394 housing ordinances and other ordinances as adopted by cities,
395 counties, or other authorities who wish to contract for
396 administrative services and to cooperate with the city, the
397 county, or the state or any political subdivision thereof in
398 action taken in connection with such problems; and to engage in
399 research, studies, and experimentation on the subject of
400 housing.

401 (g) ~~(7)~~ Acting through one or more commissioners or other
402 person or persons designated by the authority: + to conduct
403 examinations and investigations and to hear testimony and take
404 proof under oath at public or private hearings on any material
405 matter ~~material for its information~~; to administer oaths, issue
406 subpoenas requiring the attendance of witnesses or the

14-01224A-15

20151520__

407 production of books and papers, and ~~to~~ issue commissions for the
408 examination of witnesses who are outside ~~of~~ the state, ~~or~~ unable
409 to attend before the authority, or excused from attendance; and
410 to make available to appropriate agencies, including those
411 charged with the duty of abating or requiring the correction of
412 nuisances or like conditions, or of demolishing unsafe or
413 insanitary structures within its area of operation, its findings
414 and recommendations with regard to any building or property
415 where conditions exist which are dangerous to the public health,
416 morals, safety, or welfare.

417 (h) ~~(g)~~ (a) To organize for the purpose of creating a for-
418 profit or not-for-profit corporation, limited liability company,
419 or other similar business entity pursuant to all applicable laws
420 of this state in which the housing authority may hold an
421 ownership interest or participate in its governance in order to
422 develop, acquire, lease, construct, rehabilitate, manage, or
423 operate multifamily or single-family residential projects and
424 commercial projects that allow access to essential goods and
425 services for persons of low income residing in such residential
426 projects.

427 1. These projects may include nonresidential uses and may
428 use public and private funds to serve individuals or families
429 who meet the applicable income requirements of the state or
430 federal program involved; whose income does not exceed 150
431 percent of the applicable median income for the area, as
432 established by the United States Department of Housing and Urban
433 Development; and who, in the determination of the housing
434 authority, lack sufficient income or assets to enable them to
435 purchase or rent a decent, safe, and sanitary dwelling. These

14-01224A-15

20151520__

436 corporations, limited liability companies, or other business
437 entities may join partnerships, joint ventures, or limited
438 liability companies pursuant to applicable laws or may otherwise
439 engage with business entities in developing, acquiring, leasing,
440 constructing, rehabilitating, managing, or operating such
441 projects.

442 2.~~(b)~~ The creation by a housing authority of such a
443 corporation, limited liability company, or other business entity
444 that is properly registered pursuant to all applicable laws
445 before the effective date of this act is ratified and validated
446 if the creation of such corporation, limited liability company,
447 or other business entity would have been valid had this act been
448 in effect at the time such corporation, limited liability
449 company, or other business entity was created and registered.

450 3.~~(e)~~ Proceedings or acts performed by a housing authority
451 or a corporation, limited liability company, or other business
452 entity authorized pursuant to subparagraph 2. ~~paragraph (b)~~ are
453 ratified and validated if such proceedings or acts were in
454 furtherance of the purposes set forth in this chapter and would
455 have been valid had this act been in effect at the time such
456 proceedings or acts were performed.

457 (i)~~(9)~~ Notwithstanding s. 112.061, the governing board of
458 an authority may approve and implement policies for per diem,
459 travel, and other expenses of its officials, officers, board
460 members, employees, and authorized persons in a manner
461 consistent with federal guidelines.

462 (j)~~(10)~~ To exercise all or any part or combination of
463 powers ~~herein~~ granted in this section. ~~No~~ Provisions of law
464 relating with respect to acquisition, operation, or disposition

14-01224A-15

20151520__

465 of property by other public bodies do not apply ~~shall be~~
466 ~~applicable~~ to an authority unless specifically required by the
467 Legislature ~~shall specifically so state~~.

468 (2) Revenue received by a housing authority from commercial
469 projects that provide access to essential commercial goods and
470 services necessary for daily living of persons residing in
471 housing projects must be used to provide affordable housing.

472 Section 7. Subsection (2) of section 421.09, Florida
473 Statutes, is amended to read:

474 421.09 Operation not for profit.-

475 (2) This section does not prohibit or restrict the
476 activities or operations of a business entity created under s.
477 421.08(1)(h) ~~s. 421.08(8)~~.

478 Section 8. Subsection (1) of section 421.091, Florida
479 Statutes, is amended to read:

480 421.091 Financial accounting and investments; fiscal year.-

481 (1) A complete and full financial accounting and audit in
482 accordance with federal audit standards of public housing
483 agencies shall be made biennially by a certified public
484 accountant and submitted to the Federal Government in accordance
485 with its policies. Housing authorities are otherwise exempt from
486 the reporting requirements of s. 218.32. A copy of such audit
487 ~~shall be filed with the governing body and with the Auditor~~
488 ~~General.~~

489 Section 9. Section 421.21, Florida Statutes, is amended to
490 read:

491 421.21 Aid from Federal Government; tax exemptions.-

492 (1) In addition to the powers conferred upon an authority
493 by other provisions of this chapter, an authority is empowered

14-01224A-15

20151520__

494 to borrow money or accept grants or other financial assistance
495 from the Federal Government for or in aid of any housing project
496 within its area of operation, to take over or lease or manage
497 any housing project or undertaking constructed or owned by the
498 Federal Government, and to these ends, to comply with such
499 conditions and enter into such trust indentures, leases, or
500 agreements as may be necessary, convenient, or desirable. It is
501 the purpose and intent of this chapter to authorize every
502 authority to do any and all things necessary or desirable to
503 secure the financial aid or cooperation of the Federal
504 Government in the undertaking, construction, maintenance, or
505 operation of any housing project by such authority.

506 (2) In addition to the powers conferred upon an authority
507 by subsection (1) and other provisions of this chapter, an
508 authority is empowered to borrow money or accept grants or other
509 financial assistance from the Federal Government under s. 202 of
510 the Housing Act of 1959 (Pub. L. No. 86-372) or any law or
511 program of the United States Department of Housing and Urban
512 Development, which provides for direct federal loans in the
513 maximum amount, as defined therein, for the purpose of assisting
514 certain nonprofit corporations to provide housing and related
515 facilities for elderly families and elderly persons.

516 (a) Housing authorities created under this section are
517 authorized to execute mortgages, notes, bills, or other forms of
518 indebtedness together with any agreements, contracts, or other
519 instruments required by the United States Department of Housing
520 and Urban Development in connection with loans made for the
521 purposes set forth in this subsection.

522 (b) This provision relating to housing facilities for the

14-01224A-15

20151520__

523 elderly is cumulative and in addition to the powers given to
 524 housing authorities under this chapter. All powers granted
 525 generally by law to housing authorities in Florida relating to
 526 issuance of trust indentures, debentures, and other methods of
 527 raising capital ~~shall~~ apply also to housing authorities in
 528 connection with their participation in programs of the United
 529 States Department of Housing and Urban Development.

530 (3) It is the legislative intent that the tax exemption of
 531 housing authorities provided by chapter 423, ~~shall~~ specifically
 532 apply to any housing authority created under this section and
 533 any affordable housing efforts they undertake, either directly
 534 or through instrumentalities.

535 Section 10. Section 421.28, Florida Statutes, is amended to
 536 read:

537 421.28 Creation of a consolidated ~~regional~~ housing
 538 authority.—

539 (1) If the commissioners governing body of each of two or
 540 more city or county housing authorities in neighboring areas of
 541 operation which are not under federal receivership declare
 542 contiguous counties by identical resolution after a dedicated
 543 public hearing and hearings at two consecutive meetings declares
 544 that there is a need and provide a detailed plan for merging
 545 their authorities in the best interest of their respective
 546 tenants and communities, one housing authority shall ~~to~~ be
 547 created for the merging authorities ~~all of such counties~~ to
 548 exercise powers and other functions herein prescribed in such
 549 areas of operation through counties, a public body corporate and
 550 politic to be known as a consolidated ~~regional~~ housing
 551 authority, which may be an existing housing authority designated

14-01224A-15

20151520__

552 by the merging authorities or a new entity with such corporate
553 name as it selects. Thereafter, shall thereupon exist for all of
554 such counties and exercise its powers and other functions in
555 such counties; and thereupon each housing authority created by
556 s. 421.04 or s. 421.27 for each of such areas counties shall
557 cease to exist except for the purpose of winding up its affairs
558 and executing a deed to the consolidated regional housing
559 authority as hereafter provided; if provided that the governing
560 body of a county shall not adopt a resolution as aforesaid if
561 there is a housing authority created for such county which has
562 any obligations outstanding unless first:

563 (a) All obligees of such ~~county~~ housing authority and
564 parties to the contracts, bonds, notes, and other obligations
565 thereof of such county housing authority agree with such county
566 housing authority to the substitution of the consolidated such
567 ~~regional~~ housing authority in lieu of such county housing
568 authority on all such contracts, bonds, notes or other
569 obligations; and

570 (b) The commissioners of such ~~county~~ housing authorities
571 authority adopt a resolution consenting to the transfer of all
572 ~~the~~ rights, contracts, obligations, and property, real and
573 personal, to the consolidated of such county housing authority
574 ~~to such regional~~ housing authority as hereinafter provided;
575
576 ~~and provided further that when the above two conditions are~~
577 ~~complied with and such regional housing authority is created and~~
578 ~~authorized to exercise its powers and other functions, all~~
579 ~~rights, contracts, agreements, obligations and property of such~~
580 ~~county housing authority shall be in the name of and vest in~~

14-01224A-15

20151520__

581 ~~such regional housing authority, and all obligations of such~~
582 ~~county housing authority shall be the obligations of such~~
583 ~~regional housing authority and all rights and remedies of any~~
584 ~~person against such county housing authority may be asserted,~~
585 ~~enforced and prosecuted against such regional housing authority~~
586 ~~to the same extent as they may have been asserted, enforced and~~
587 ~~prosecuted against such county housing authority.~~

588 (2) No more than three housing authorities may be combined
589 within a 10-year period, unless there is a resolution of each
590 housing authority and local government within the area of
591 operation in support of such additional consolidation.

592 (3)~~(2)~~ When ~~any~~ real property of a ~~county~~ housing authority
593 vests in a consolidated ~~regional~~ housing authority as provided
594 above, the ~~county~~ housing authority shall execute a deed
595 transferring ~~of~~ such property to the consolidated ~~regional~~
596 housing authority, which ~~thereupon~~ shall file such deed with the
597 recorder of deeds of the county where such real property is
598 located, ~~provided that nothing contained in this sentence shall~~
599 ~~affect the vesting of property in the regional housing authority~~
600 ~~as provided above.~~

601 ~~(3) The governing body of each of two or more contiguous~~
602 ~~counties shall by resolution declare that there is a need for~~
603 ~~one regional housing authority to be created for all of such~~
604 ~~counties to exercise powers and other functions herein~~
605 ~~prescribed in such counties, if such governing body finds, and~~
606 ~~only if it finds:~~

607 ~~(a) That insanitary or unsafe inhabited dwelling~~
608 ~~accommodations exist in such county or there is a shortage of~~
609 ~~safe and sanitary dwelling accommodations in such county~~

14-01224A-15

20151520__

610 ~~available to persons of low income at rentals they can afford;~~
611 ~~and~~

612 ~~(b) That a regional housing authority would be a more~~
613 ~~efficient or economical administrative unit than the housing~~
614 ~~authority of such county to carry out the purposes of this~~
615 ~~Housing Authorities Law in such county.~~

616 (4) In any suit, action, or proceeding involving the
617 validity or enforcement of or relating to any contract of the
618 consolidated regional housing authority, the consolidated
619 ~~regional~~ housing authority shall be conclusively deemed to have
620 been become created, ~~as a public body corporate and politic and~~
621 ~~to have become~~ established, and authorized to transact business
622 and exercise its authority under this section ~~powers hereunder~~
623 upon proof of the adoption of a resolution by the commissioners
624 ~~governing body~~ of each of the merging authorities ~~counties~~
625 creating the consolidated regional housing authority ~~declaring~~
626 ~~the need for the regional housing authority. Each such~~
627 ~~resolution shall be deemed sufficient if it declares that there~~
628 ~~is need for a regional housing authority and finds in~~
629 ~~substantially the foregoing terms, no further detail being~~
630 ~~necessary, that the conditions enumerated in subsection (3)~~
631 ~~exist. A copy of such resolution of the governing body of a~~
632 ~~county, duly certified by the county clerk of such county, shall~~
633 ~~be admissible in evidence in any suit, action or proceeding.~~

634 Section 11. Section 421.29, Florida Statutes, is amended to
635 read:

636 421.29 Area of operation of a consolidated regional housing
637 authority.—

638 (1) The area of operation of a consolidated regional

14-01224A-15

20151520__

639 housing authority includes ~~shall include~~ all of the areas of
640 operation ~~counties~~ for which such consolidated ~~regional~~ housing
641 authority is created and established, except such portions that
642 ~~of the counties which~~ lie within the territorial boundaries of
643 existing housing authorities not a part of the consolidated
644 housing authority ~~cities, as defined in the Housing Authorities~~
645 ~~Law, as amended.~~

646 (2) The area of operation of a consolidated ~~regional~~
647 housing authority may ~~shall~~ be increased from time to time to
648 include one or more additional authorities ~~counties~~ not already
649 within a consolidated ~~regional~~ housing authority, ~~except such~~
650 ~~portion or portions of such additional county or counties which~~
651 ~~lie within the territorial boundaries of any city, as defined,~~
652 if the commissioners ~~governing body~~ of each of the authorities
653 to be ~~counties then~~ included in its ~~the~~ area of operation and ~~of~~
654 ~~such regional housing authority,~~ the commissioners of the
655 consolidated ~~regional~~ housing authority and ~~the governing body~~
656 ~~of each such additional county or counties~~ each adopt a
657 resolution declaring that there is a need for the inclusion of
658 such additional authorities ~~county or counties~~ in the area of
659 operation of the consolidated ~~such regional~~ housing authority.
660 Upon the adoption of such resolutions, the ~~county~~ housing
661 authority created under ~~by~~ s. 421.27 for each such additional
662 area ~~county~~ shall cease to exist except for the purpose of
663 winding up its affairs and executing a deed to the consolidated
664 ~~regional~~ housing authority as hereinafter provided in s.
665 421.28. ~~provided, however, that such resolutions shall not be~~
666 ~~adopted if there is a county housing authority created for any~~
667 ~~such additional county which has any obligations outstanding~~

14-01224A-15

20151520__

668 ~~unless first:~~

669 ~~(a) All obligees of any such county housing authority and~~
670 ~~parties to the contracts, bonds, notes and other obligations of~~
671 ~~any such county housing authority agree with such county housing~~
672 ~~authority and the regional housing authority to the substitution~~
673 ~~of such regional housing authority in lieu of such county~~
674 ~~housing authority on all such contracts, bonds, notes or other~~
675 ~~obligations, and second:~~

676 ~~(b) The commissioners of such county housing authority and~~
677 ~~the commissioners of such regional housing authority adopt~~
678 ~~resolutions consenting to the transfer of all the rights,~~
679 ~~contracts, obligations and property, real and personal, of such~~
680 ~~county housing authority to such regional housing authority as~~
681 ~~hereinafter provided, and provided further, that when the above~~
682 ~~two conditions are complied with and the area of operation of~~
683 ~~such regional housing authority is increased to include such~~
684 ~~additional county, as hereinabove provided, all rights,~~
685 ~~contracts, agreements, obligations and property of such county~~
686 ~~housing authority shall be in the name of and vest in such~~
687 ~~regional housing authority, all obligations of such county~~
688 ~~housing authority shall be the obligations of such regional~~
689 ~~housing authority and all rights and remedies of any person~~
690 ~~against such county housing authority may be asserted, enforced~~
691 ~~and prosecuted against such regional housing authority to the~~
692 ~~same extent as they may have been asserted, enforced and~~
693 ~~prosecuted against such county housing authority.~~

694 ~~(3) When any real property of a county housing authority~~
695 ~~vests in a regional housing authority as provided above, the~~
696 ~~county housing authority shall execute a deed of such property~~

14-01224A-15

20151520__

697 ~~to the regional housing authority which thereupon shall file~~
698 ~~such deed with the recorder of deeds of the county where such~~
699 ~~real property is, provided that nothing contained in this~~
700 ~~sentence shall affect the vesting of property in the regional~~
701 ~~housing authority as provided above.~~

702 ~~(4) The governing body of each of the counties in the~~
703 ~~regional housing authority, the commissioners of the regional~~
704 ~~housing authority and the governing body of each such additional~~
705 ~~county or counties shall by resolution declare that there is a~~
706 ~~need for the addition of such county or counties to the regional~~
707 ~~housing authority, if:~~

708 ~~(a) The governing body of each of such additional county or~~
709 ~~counties finds that insanitary or unsafe inhabited dwelling~~
710 ~~accommodations exist in such county or there is a shortage of~~
711 ~~safe or sanitary dwelling accommodations in such county~~
712 ~~available to persons of low income at rentals they can afford;~~
713 ~~and~~

714 ~~(b) The governing body of each of the counties then~~
715 ~~included in the area of operation of the regional housing~~
716 ~~authority, the commissioners of the regional housing authority~~
717 ~~and the governing body of each such additional county or~~
718 ~~counties find that the regional housing authority would be a~~
719 ~~more efficient or economical administrative unit to carry out~~
720 ~~the purposes of this Housing Authorities Law if the area of~~
721 ~~operation of the regional housing authority shall be increased~~
722 ~~to include such additional county or counties.~~

723 ~~(5) In determining whether dwelling accommodations are~~
724 ~~unsafe or insanitary under this or s. 421.28, the governing body~~
725 ~~of a county shall take into consideration the safety and~~

14-01224A-15

20151520__

726 ~~sanitation of the dwellings, the light and airspace available to~~
 727 ~~the inhabitants of such dwellings, the degree of overcrowding,~~
 728 ~~the size and arrangement of the rooms and the extent to which~~
 729 ~~conditions exist in such buildings which endanger life or~~
 730 ~~property by fire or other causes.~~

731 (3)~~(6)~~ In connection with the issuance of bonds or the
 732 incurring of other obligations, a consolidated ~~regional~~ housing
 733 authority may covenant as to limitations on its right to adopt
 734 resolutions relating to the increase of its area of operation.

735 ~~(7) No governing body of a county shall adopt any~~
 736 ~~resolution authorized by this or s. 421.28 unless a public~~
 737 ~~hearing has first been held. The clerk of such county shall give~~
 738 ~~notice of the time, place and purpose of the public hearing at~~
 739 ~~least 10 days prior to the day on which the hearing is to be~~
 740 ~~held, in a newspaper published in such county, or if there is no~~
 741 ~~newspaper published in such county, then in a newspaper~~
 742 ~~published in the state and having a general circulation in such~~
 743 ~~county. Upon the date fixed for such public hearing an~~
 744 ~~opportunity to be heard shall be granted to all residents of~~
 745 ~~such county and to all other interested persons.~~

746 Section 12. Section 421.30, Florida Statutes, is amended to
 747 read:

748 421.30 Commissioners of consolidated ~~regional~~ authorities.—

749 (1) When a consolidated ~~regional~~ housing authority has been
 750 created as provided above, the consolidation plan must include a
 751 provision for the distribution of appointments among the
 752 appointing authorities of the existing agencies. The appointing
 753 authorities ~~Governor~~ shall ~~thereupon~~ appoint seven
 754 commissioners, with at least one qualified elector from each

14-01224A-15

20151520__

755 included area of operation, provided that there are suitable
756 candidates who are willing to serve from each area of operation
757 county included in such regional housing authority as a
758 commissioner of the regional housing authority.

759 (2) When the area of operation of a consolidated regional
760 housing authority is increased to include an additional area of
761 operation county or counties as herein provided, the
762 consolidation plan must provide for the appointment of Governor
763 shall thereupon appoint one qualified elector from each such
764 additional area of operation county as a commissioner of the
765 regional housing authority. The number of commissioners of a
766 consolidated housing authority may be increased above seven,
767 provided that it is only to allow for the implementation of this
768 provision.

769 (3) If any county is later excluded from the area of
770 operation of a consolidated regional housing authority, the
771 office of the commissioner of such regional housing authority
772 appointed as provided above for such county, is shall be
773 thereupon abolished.

774 (4)(2) If the area of operation of a consolidated regional
775 housing authority consists at any time of an even number of
776 counties, the Governor shall appoint one additional
777 commissioner, who shall be a qualified elector from one of the
778 counties in such area of operation, whose term of office shall
779 be as herein provided for a commissioner of a regional housing
780 authority, except that such term shall end at any earlier time
781 that the area of operation of the regional housing authority
782 shall be changed to consist of an odd number of counties.

783 (5)(3) A certificate of the appointment of any commissioner

14-01224A-15

20151520__

784 of a consolidated ~~regional~~ housing authority must ~~shall~~ be filed
785 with the county clerk of the county from which the commissioner
786 is appointed, and such certificate shall be conclusive evidence
787 of the due and proper appointment of such commissioner.

788 (6) The commissioners of a consolidated ~~regional~~ housing
789 authority shall be appointed for staggered terms of 4 years,
790 except that the terms of the initial appointees may be truncated
791 to stagger the terms, and all vacancies shall be filled for the
792 unexpired terms. Each commissioner shall hold office until a
793 successor has been appointed and has qualified, except as
794 otherwise provided herein. The Governor shall thereafter appoint
795 the successor of each commissioner ~~of a regional housing~~
796 ~~authority.~~

797 ~~(7)(4) The commissioners appointed as aforesaid shall~~
798 ~~constitute the regional housing authority, and the powers of~~
799 ~~such authority shall be vested in such commissioners in office~~
800 ~~from time to time.~~

801 ~~(5)~~ The commissioners of a consolidated ~~regional~~ housing
802 authority shall elect a chair from among the commissioners and
803 shall have power to select or employ such other officers and
804 employees as the ~~regional housing~~ authority may require. A
805 majority of the commissioners of a consolidated ~~regional~~ housing
806 authority constitutes ~~shall constitute~~ a quorum of such
807 authority for the purpose of conducting its business and
808 exercising its powers and for all other purposes.

809 Section 13. Section 421.31, Florida Statutes, is amended to
810 read:

811 421.31 Powers of consolidated ~~regional~~ housing authority;
812 definitions.—Except as otherwise provided herein, a consolidated

14-01224A-15

20151520__

813 ~~regional~~ housing authority and the commissioners thereof shall,
814 within the area of operation of such regional housing authority,
815 have the same functions, rights, powers, duties, privileges, and
816 immunities provided for housing authorities created for cities
817 or counties ~~and the commissioners of such housing authorities in~~
818 ~~the same manner as though all the provisions of law applicable~~
819 ~~to housing authorities created for cities or counties were~~
820 ~~applicable to regional housing authorities; provided that for~~
821 ~~such purposes the term "mayor" as used in the Housing~~
822 ~~Authorities Law shall be construed as meaning "Governor," the~~
823 ~~term "governing body" as used therein shall be construed as~~
824 ~~meaning "county commissioners," the term "city" as used therein~~
825 ~~shall be construed as meaning "county" and the term "clerk" as~~
826 ~~used therein shall be construed as meaning "county clerk," as~~
827 ~~herein defined, unless a different meaning clearly appears from~~
828 ~~the context; and provided further that the Governor may appoint~~
829 ~~any person as commissioner of a regional housing authority who~~
830 ~~is a qualified elector in the county from which he or she is~~
831 ~~appointed; and provided further that any commissioner of a~~
832 ~~regional housing authority may be removed or suspended in the~~
833 ~~same manner and for the same reason as other officers appointed~~
834 ~~by the Governor. A consolidated ~~regional~~ housing authority shall~~
835 have power to select any appropriate corporate name.

836 Section 14. Section 421.32, Florida Statutes, is amended to
837 read:

838 421.32 Rural housing projects.—County housing authorities
839 and consolidated ~~regional~~ housing authorities are specifically
840 empowered and authorized to borrow money, accept grants, and
841 exercise their other powers to provide housing for farmers of

14-01224A-15

20151520__

842 low income and domestic farm labor as defined in s. 514 of the
843 Federal Housing Act of 1949. In connection with such projects,
844 any such housing authority may enter into such leases or
845 purchase agreements, accept such conveyances, and rent or sell
846 dwellings forming part of such projects to or for farmers of low
847 income, as such housing authority deems necessary in order to
848 ensure ~~assure~~ the achievement of the objectives of this law.
849 Such leases, agreements, or conveyances may include such
850 covenants as the housing authority deems appropriate regarding
851 such dwellings and the tracts of land described in any such
852 instrument, which covenants shall be deemed to run with the land
853 where the housing authority deems it necessary and the parties
854 to such instrument so stipulate. In providing housing for
855 farmers of low income, county housing authorities and
856 consolidated ~~regional~~ housing authorities are ~~shall~~ not be
857 subject to the limitations provided in ss. 421.08(1)(c) ~~ss.~~
858 ~~421.08(3)~~ and 421.10(3). ~~Nothing contained in~~ This section may
859 not ~~shall~~ be construed as limiting any other powers of any
860 housing authority.

861 Section 15. Section 421.321, Florida Statutes, is amended
862 to read:

863 421.321 Execution of mortgages.—County and consolidated
864 ~~regional~~ housing authorities organized under this chapter are
865 authorized to execute mortgages encumbering real property as
866 security for loans made for providing facilities for domestic
867 farm labor pursuant to s. 514 of the Federal Housing Act of
868 1949.

869 Section 16. Section 421.50, Florida Statutes, is amended to
870 read:

14-01224A-15

20151520__

871 421.50 Decreasing area of operation of consolidated
872 ~~regional~~ authority.-

873 (1) The area of operation of a consolidated ~~regional~~
874 housing authority may ~~shall~~ be decreased from time to time to
875 exclude one or more cities or counties from such area if the
876 ~~governing body of each of the counties in such area and the~~
877 ~~commissioners of the~~ consolidated ~~regional~~ housing authority
878 ~~each~~ adopt a resolution declaring that there is a need for
879 excluding such city or cities or county or counties from such
880 area. ~~;~~ provided, that

881 (2) ~~No~~ Action may not be taken pursuant to this section if
882 the consolidated ~~regional~~ housing authority has outstanding ~~any~~
883 bonds, debentures, or notes unless ~~first,~~ all holders first ~~of~~
884 ~~such bonds, debentures or notes~~ consent in writing and ~~to such~~
885 ~~action;~~ and provided, that if such action decreases the area of
886 operation ~~of the regional housing authority~~ to only one city or
887 ~~county,~~ such authority shall ~~thereupon constitute and become a~~
888 housing authority for such city or county, in the same manner as
889 though such authority were created by and authorized to transact
890 business and exercise its powers pursuant to s. 421.04 or s.
891 421.27, ~~and the commissioners of such authority shall be~~
892 ~~thereupon appointed as provided for the appointment of~~
893 ~~commissioners of a housing authority created for a county. The~~
894 ~~governing body of each of the counties in the area of operation~~
895 ~~of the regional housing authority and the commissioners of the~~
896 ~~regional housing authority shall adopt a resolution declaring~~
897 ~~that there is a need for excluding a county or counties from~~
898 ~~such area only if each such governing body and the commissioners~~
899 ~~of the regional housing authority find that, because of facts~~

14-01224A-15

20151520__

900 ~~arising or determined subsequent to the time when such area~~
901 ~~first included the county or counties to be excluded, the~~
902 ~~regional housing authority would be a more efficient or~~
903 ~~economical administrative unit if such county or counties were~~
904 ~~excluded from such area.~~

905 ~~(2) The governing body of a county shall not adopt any~~
906 ~~resolution authorized by this section unless a public hearing~~
907 ~~has first been held in accordance with the provisions of the~~
908 ~~Housing Authorities Law.~~

909 ~~(3) A certificate of the appointment of any commissioner of~~
910 ~~a regional housing authority shall be filed with the county~~
911 ~~clerk of the county from which the commissioner is appointed,~~
912 ~~and such certificate shall be conclusive evidence of the due and~~
913 ~~proper appointment of such commissioner. The commissioners of a~~
914 ~~regional housing authority shall be appointed for terms of 4~~
915 ~~years, except that all vacancies shall be filled for the~~
916 ~~unexpired terms. Each commissioner shall hold office until a~~
917 ~~successor has been appointed and has qualified, except as~~
918 ~~otherwise provided herein. The Governor shall thereafter appoint~~
919 ~~the successor of each commissioner of a regional housing~~
920 ~~authority.~~

921 ~~(4) The commissioners appointed as aforesaid shall~~
922 ~~constitute the regional housing authority, and the powers of~~
923 ~~such authority shall be vested in such commissioners in office~~
924 ~~from time to time.~~

925 ~~(5) The commissioners of a regional housing authority shall~~
926 ~~elect a chair from among the commissioners and shall have power~~
927 ~~to select or employ such other officers and employees as the~~
928 ~~regional housing authority may require. A majority of the~~

14-01224A-15

20151520__

929 ~~commissioners of a regional housing authority shall constitute a~~
930 ~~quorum of such authority for the purpose of conducting its~~
931 ~~business and exercising its powers and for all other purposes.~~

932 Section 17. Section 421.51, Florida Statutes, is amended to
933 read:

934 421.51 Authority for city or county excluded from a
935 consolidated regional authority.—At any time after a city or
936 county ~~or counties~~ is excluded from the area of operation of a
937 consolidated regional housing authority as provided above, the
938 governing body of any such city or county may adopt a resolution
939 declaring that there is a need for a housing authority, which is
940 then created by and authorized to transact business and exercise
941 its powers pursuant to s. 421.04 or s. 421.27 ~~in the county, if~~
942 ~~the governing body shall declare and find such need according to~~
943 ~~the provisions of the Housing Authorities Law. Thereupon a~~
944 ~~public body corporate and politic, to be known as the "housing~~
945 ~~authority of the county," shall exist for such county and may~~
946 ~~transact business and exercise its powers in the same manner as~~
947 ~~though created by the Housing Authorities Law. Nothing contained~~
948 ~~herein shall be construed as preventing such county from~~
949 ~~thereafter being included within the area of operation of a~~
950 ~~regional housing authority as provided in s. 421.28 or s.~~
951 ~~421.29.~~

952 Section 18. Section 422.02, Florida Statutes, is amended to
953 read:

954 422.02 Finding and declaration of necessity.—It has been
955 found and declared in the Housing Authorities Law that ~~there~~
956 ~~exist in the state~~ unsafe and insanitary housing conditions
957 exist in this state, that there is ~~and~~ a shortage of safe and

14-01224A-15

20151520__

958 sanitary dwelling accommodations, and that there is a lack of
959 access to essential commercial goods and services necessary for
960 daily living for persons of low income; that these conditions
961 necessitate excessive and disproportionate expenditures of
962 public funds for crime prevention and punishment;; public
963 health, welfare, and safety; fire and accident protection;; and
964 other public services and facilities; and that the public
965 interest requires that ~~the remedying of~~ these conditions be
966 remedied. It is found and declared that the assistance herein
967 provided for the remedying of the adverse conditions identified
968 ~~set forth~~ in the Housing Authorities Law constitutes a public
969 use and purpose and an essential governmental function for which
970 public moneys may be spent and other aid given; that it is a
971 proper public purpose for any state public body to aid any
972 housing authority operating within its boundaries or
973 jurisdiction or any housing project located therein, as the
974 state public body derives immediate benefits and advantages from
975 such an authority or project; and that the provisions
976 hereinafter enacted are necessary in the public interest.

977 Section 19. Section 422.04, Florida Statutes, is amended to
978 read:

979 422.04 Cooperation in undertaking housing projects.—

980 (1) For the purpose of aiding and cooperating in the
981 planning, undertaking, construction, or operation of housing
982 projects located within the area in which it is authorized to
983 act, any state public body may ~~upon such terms, with or without~~
984 ~~consideration, as it may determine:~~

985 (a) Dedicate, sell, convey, or lease any of its property to
986 a housing authority or the Federal Government.;

14-01224A-15

20151520__

987 (b) Provide or cause to be provided ~~Cause parks;~~
988 playgrounds; ~~recreational, community, educational, water,~~
989 sewer, or drainage facilities; commercial projects that allow
990 access to essential commercial goods and services for persons of
991 low income residing in housing projects; ~~or any other works~~
992 ~~which it is otherwise empowered to undertake, to be furnished~~
993 adjacent to or in connection with housing projects.

994 (c) Furnish, dedicate, close, pave, install, grade,
995 regrade, plan, or replan streets, roads, roadways, alleys,
996 sidewalks, or other places ~~which it is otherwise empowered to~~
997 undertake.

998 (d) Plan or replan, zone or rezone any part of such state
999 public body; make exceptions from building regulations and
1000 ordinances; and, with respect to any city or town, also may
1001 change its map.

1002 (e) ~~Enter into agreements, which may extend over any~~
1003 ~~period, notwithstanding any provision or rule of law to the~~
1004 ~~contrary,~~ with a housing authority or the Federal Government
1005 respecting action to be taken by such state public body pursuant
1006 to any of the powers granted by this chapter.

1007 (f) ~~Do any and all things, necessary or convenient to aid~~
1008 ~~and cooperate in the planning, undertaking, construction, or~~
1009 operation of such housing projects.

1010 (g) Purchase or legally invest in any of the debentures of
1011 a housing authority and exercise all of the rights of any holder
1012 of such debentures.

1013 (h) Not require any changes to be made in a housing project
1014 or the manner of its construction or take any other action
1015 relating to such construction ~~with respect to any housing~~

14-01224A-15

20151520__

1016 project that ~~which~~ a housing authority has acquired or taken
 1017 over from the Federal Government and which the housing authority
 1018 by resolution has found and declared to have been constructed in
 1019 a manner that will promote the public interest and afford
 1020 necessary safety, sanitation, and other protection, no state
 1021 ~~public body shall require any changes to be made in the housing~~
 1022 ~~project or the manner of its construction or take any other~~
 1023 ~~action relating to such construction;~~

1024 (i) Incur the entire expense of ~~In connection with~~ any
 1025 public improvements made by the ~~a~~ state public body in
 1026 exercising the powers herein granted, ~~such state public body may~~
 1027 ~~incur the entire expense thereof.~~

1028 (2) Any law or statute to the contrary notwithstanding, any
 1029 sale, conveyance, lease, or agreement provided for in this
 1030 section may be made by a state public body without appraisal,
 1031 public notice, advertisement, or public bidding.

1032 Section 20. Section 423.01, Florida Statutes, is amended to
 1033 read:

1034 423.01 Finding and declaration of property of tax exemption
 1035 for housing authorities.—It has been found and declared in the
 1036 Housing Authorities Law and the Housing Cooperation Law that:

1037 (1) There exist in the state housing conditions that ~~which~~
 1038 constitute a menace to the health, safety, morals, and welfare
 1039 of the residents of the state;

1040 (2) These conditions necessitate excessive and
 1041 disproportionate expenditures of public funds for crime
 1042 prevention and punishment, public health, welfare and safety,
 1043 fire and accident prevention, and other public services and
 1044 facilities;

14-01224A-15

20151520__

1045 (3) The public interest requires the remedying of these
1046 conditions by the creation of housing authorities to undertake
1047 projects for ~~the slum~~ clearance of blighted areas and for
1048 providing safe and sanitary dwelling accommodations and access
1049 to essential commercial goods and services necessary for daily
1050 living for persons who lack sufficient income to enable them to
1051 live in decent, safe, and sanitary dwellings without
1052 overcrowding; ~~and~~

1053 (4) Facilities made available by housing authorities to
1054 provide access to essential commercial goods and services
1055 necessary for daily living for persons residing in housing
1056 projects are a critical component of these housing projects and
1057 constitute a public use and a governmental function; and

1058 (5)~~(4)~~ Such housing projects, including all property of a
1059 housing authority used for or in connection therewith or
1060 appurtenant thereto and all property used to provide access to
1061 essential commercial goods and services necessary for daily
1062 living for persons residing in such housing projects, are
1063 exclusively for public uses and municipal purposes and not for
1064 profit, and are governmental functions of state concern. As a
1065 matter of legislative determination, it is found and declared
1066 that the property and debentures of a housing authority are ~~of~~
1067 ~~such character as may be~~ exempt from taxation.

1068 Section 21. Section 423.02, Florida Statutes, is amended to
1069 read:

1070 423.02 Housing projects exempted from taxes and
1071 assessments; payments in lieu thereof.—The housing projects,
1072 including all property of housing authorities used for or in
1073 connection therewith or appurtenant thereto, of housing

14-01224A-15

20151520__

1074 authorities are ~~shall be~~ exempt from all taxes and special
 1075 assessments of the state or any city, town, county, or political
 1076 subdivision of the state. ~~, provided,~~ However, ~~that~~ in lieu of
 1077 such taxes or special assessments, a housing authority may agree
 1078 to make payments to any city, town, county, or political
 1079 subdivision of the state for services, improvements, or
 1080 facilities furnished by such city, town, county, or political
 1081 subdivision for the benefit of a housing project owned by the
 1082 housing authority, but ~~in no event shall~~ such payments may not
 1083 exceed the estimated cost ~~to such city, town, county or~~
 1084 ~~political subdivision~~ of the services, improvements, or
 1085 facilities to be so furnished by the city, town, county, or
 1086 other political subdivision of the state. This section does not
 1087 exempt the activities or property of a person who provides
 1088 essential commercial goods and services. However, the real
 1089 property of a housing authority which is used to provide access
 1090 to essential commercial goods and services is exempt from ad
 1091 valorem taxes and special assessments.

1092 Section 22. Paragraph (f) of subsection (1) of section
 1093 893.13, Florida Statutes, is amended to read:

1094 893.13 Prohibited acts; penalties.—

1095 (1)

1096 (f) Except as authorized by this chapter, a person may not
 1097 sell, manufacture, or deliver, or possess with intent to sell,
 1098 manufacture, or deliver, a controlled substance in, on, or
 1099 within 1,000 feet of the real property comprising a public
 1100 housing facility at any time. As used in this section, the term
 1101 "real property comprising a public housing facility" means real
 1102 property, as defined in s. 421.03 ~~s. 421.03(12)~~, of a public

14-01224A-15

20151520__

1103 corporation created as a housing authority pursuant to part I of
1104 chapter 421. A person who violates this paragraph with respect
1105 to:

1106 1. A controlled substance named or described in s.
1107 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
1108 commits a felony of the first degree, punishable as provided in
1109 s. 775.082, s. 775.083, or s. 775.084.

1110 2. A controlled substance named or described in s.
1111 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
1112 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
1113 the second degree, punishable as provided in s. 775.082, s.
1114 775.083, or s. 775.084.

1115 3. Any other controlled substance, except as lawfully sold,
1116 manufactured, or delivered, must be sentenced to pay a \$500 fine
1117 and to serve 100 hours of public service in addition to any
1118 other penalty prescribed by law.

1119 Section 23. This act shall take effect July 1, 2015.