

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Appropriations Committee
 2 Representative Miller offered the following:

Amendment (with title amendment)

Remove lines 100-651 and insert:

Section 1. Subsection (36) of section 420.503, Florida Statutes, is amended to read:

420.503 Definitions.—As used in this part, the term:

(36) "Service provider," except as otherwise defined in s. 420.512(5), means a law firm, investment bank, certified public accounting firm, auditor, trustee bank, credit underwriter, homeowner loan servicer, or any other provider of services to the corporation which offers to perform or performs services to the corporation or other provider for fees in excess of \$35,000 ~~\$25,000~~ in the aggregate during any fiscal year of the corporation. The term includes the agents, officers, principals, and professional employees of the service provider.

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18 Section 2. Paragraphs (a) and (b) of subsection (22) of
19 section 420.507, Florida Statutes, are amended, paragraphs (d)
20 through (i) are redesignated as paragraphs (e) through (j),
21 respectively, a new paragraph (d) is added to that subsection,
22 and subsection (35) of that section is amended, to read:

23 420.507 Powers of the corporation.—The corporation shall
24 have all the powers necessary or convenient to carry out and
25 effectuate the purposes and provisions of this part, including
26 the following powers which are in addition to all other powers
27 granted by other provisions of this part:

28 (22) To develop and administer the State Apartment
29 Incentive Loan Program. In developing and administering that
30 program, the corporation may:

31 (a) Make first, second, and other subordinated mortgage
32 loans including variable or fixed rate loans subject to
33 contingent interest for all State Apartment Incentive Loans
34 provided in this chapter based upon available cash flow of the
35 projects. The corporation shall make loans exceeding 25 percent
36 of project cost only to nonprofit organizations and public
37 bodies that are able to secure grants, donations of land, or
38 contributions from other sources and to projects meeting the
39 criteria of subparagraph 1. Mortgage loans shall be made
40 available at the following rates of interest:

41 1. Zero to 3 percent interest for sponsors of projects
42 that set aside at least 80 percent of their total units for
43 residents qualifying as farmworkers, commercial fishing workers,

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44 the homeless as defined in s. 420.621, or persons with special
45 needs as defined in s. 420.0004(13) over the life of the loan.

46 2. Zero to 3 percent interest based on the pro rata share
47 of units set aside for homeless residents or persons with
48 special needs if the total of such units is less than 80 percent
49 of the units in the borrower's project.

50 3. One to 9 percent interest for sponsors of projects
51 targeted at populations other than farmworkers, commercial
52 fishing workers, persons who are ~~the~~ homeless, or persons with
53 special needs.

54 (b) Make loans exceeding 25 percent of project cost when
55 the project serves extremely-low-income persons or projects as
56 provided in paragraph (d).

57 (d) In any county or rural area of a county that does not
58 have existing units set aside for persons who are homeless,
59 forgive indebtedness for loans provided to create permanent
60 rental housing units for persons who are homeless, as defined in
61 s. 420.621(5), or for persons residing in time-limited
62 transitional housing or institutions as a result of a lack of
63 permanent, affordable housing. Such developments must be
64 supported by a local homeless assistance continuum of care
65 developed under s. 420.624; be developed by nonprofit
66 applicants; be small properties as defined by corporation rule;
67 and be projects in the local housing assistance continuum of
68 care plan recognized by the State Office on Homelessness.

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69 (35) To preclude from further participation in any of the
70 corporation's programs, ~~for a period of up to 2 years,~~ any
71 applicant or affiliate of an applicant that ~~which~~ has made a
72 material misrepresentation or engaged in fraudulent actions in
73 connection with any application for a corporation program.

74 Section 3. Subsections (1) and (3), paragraphs (b), (f),
75 and (k) of subsection (6), and subsection (10) of section
76 420.5087, Florida Statutes, are amended to read:

77 420.5087 State Apartment Incentive Loan Program.—There is
78 hereby created the State Apartment Incentive Loan Program for
79 the purpose of providing first, second, or other subordinated
80 mortgage loans or loan guarantees to sponsors, including for-
81 profit, nonprofit, and public entities, to provide housing
82 affordable to very-low-income persons.

83 (1) Program funds shall be made available through a
84 competitive solicitation process ~~distributed over successive 3-~~
85 ~~year periods~~ in a manner that meets the need and demand for
86 very-low-income housing throughout the state. That need and
87 demand must be determined by using the most recent statewide
88 low-income rental housing market studies conducted every 3 years
89 ~~available at the beginning of each 3-year period~~. However, at
90 least 10 percent of the program funds, as calculated on an
91 annual basis, ~~distributed during a 3-year period~~ must be made
92 available ~~allocated~~ to each of the following categories of
93 counties, ~~as determined by using the population statistics~~

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94 published in the most recent edition of the Florida Statistical
95 Abstract:

96 (a) Counties that have a population of 825,000 or more.

97 (b) Counties that have a population of more than 100,000
98 but fewer ~~less~~ than 825,000.

99 (c) Counties that have a population of 100,000 or fewer
100 ~~less~~.

101

102 Any increase in funding required to reach the 10-percent minimum
103 shall be taken from the county category that has the largest
104 portion of the funding allocation. The corporation shall adopt
105 rules that ~~which~~ establish an equitable process for distributing
106 any portion of the 10 percent of program funds made available
107 ~~allocated~~ to the county categories specified in this subsection
108 which remains unallocated ~~at the end of a 3-year period~~.

109 Counties that have a population of 100,000 or fewer ~~less~~ shall
110 be given preference under these rules.

111 (3) During the first 6 months of loan or loan guarantee
112 availability, program funds shall be made available ~~reserved~~ for
113 use by sponsors who provide the housing set-aside required in
114 subsection (2) for the tenant groups designated in this
115 subsection. The ~~reservation of funds~~ made available to each of
116 these groups shall be determined using the most recent statewide
117 very-low-income rental housing market study available at the
118 time of publication of each notice of fund availability required
119 by paragraph (6) (b). The ~~reservation of funds~~ made available

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120 within each notice of fund availability to the tenant groups in
121 paragraphs (b)-(e) ~~(a), (b), and (e)~~ may not be less than 10
122 percent of the funds available at that time. Any increase in
123 funding required to reach the required ~~10-percent~~ minimum must
124 be taken from the tenant group that would receive ~~has~~ the
125 largest percentage of available funds in accordance with the
126 study reservation. The ~~reservation of funds made available~~
127 within each notice of fund availability to the tenant group in
128 paragraph (a) ~~(e)~~ may not be less than 5 percent of the funds
129 available at that time. ~~The reservation of funds within each~~
130 ~~notice of fund availability to the tenant group in paragraph (d)~~
131 ~~may not be more than 10 percent of the funds available at that~~
132 ~~time~~. The tenant groups are:
133 (a) Commercial fishing workers and farmworkers;
134 (b) Families;
135 (c) Persons who are homeless;
136 (d) Persons with special needs; and
137 (e) Elderly persons. Ten percent of the amount made
138 available ~~reserved~~ for the elderly shall ~~be reserved to~~ provide
139 loans to sponsors of housing for the elderly for the purpose of
140 making building preservation, health, or sanitation repairs or
141 improvements that ~~which~~ are required by federal, state, or local
142 regulation or code, or lifesafety or security-related repairs or
143 improvements to such housing. Such a loan may not exceed
144 \$750,000 per housing community for the elderly. In order to
145 receive the loan, the sponsor of the housing community must make

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146 a commitment to match at least 5 percent of the loan amount to
147 pay the cost of such repair or improvement. The corporation
148 shall establish the rate of interest on the loan, which may not
149 exceed 3 percent, and the term of the loan, which may not exceed
150 15 years; however, if the lien of the corporation's encumbrance
151 is subordinate to the lien of another mortgagee, then the term
152 may be made coterminous with the longest term of the superior
153 lien. The term of the loan shall be based on a credit analysis
154 of the applicant. The corporation may forgive indebtedness for a
155 share of the loan attributable to the units in a project
156 reserved for extremely-low-income elderly by nonprofit
157 organizations, as defined in s. 420.0004(5), where the project
158 has provided affordable housing to the elderly for 15 years or
159 more. The corporation shall establish, by rule, the procedure
160 and criteria for receiving, evaluating, and competitively
161 ranking all applications for loans under this paragraph. A loan
162 application must include evidence of the first mortgagee's
163 having reviewed and approved the sponsor's intent to apply for a
164 loan. A nonprofit organization or sponsor may not use the
165 proceeds of the loan to pay for administrative costs, routine
166 maintenance, or new construction.

167 (6) On all state apartment incentive loans, except loans
168 made to housing communities for the elderly to provide for
169 lifesafety, building preservation, health, sanitation, or
170 security-related repairs or improvements, the following
171 provisions shall apply:

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172 (b) The corporation shall publish a notice of fund
173 availability in a publication of general circulation throughout
174 the state. Such notice shall be published at least 60 days
175 before ~~prior to~~ the application deadline and shall provide
176 notice of the availability ~~temporary reservations~~ of funds
177 established in subsection (3).

178 (f) The review committee established by corporation rule
179 pursuant to this subsection shall make recommendations to the
180 board of directors of the corporation regarding program
181 participation under the State Apartment Incentive Loan Program.
182 The corporation board shall make the final decisions regarding
183 which applicants shall become program participants based on the
184 scores received in the competitive process, further review of
185 applications, and the recommendations of the review committee.
186 The corporation board shall approve or reject applications for
187 loans and shall determine the tentative loan amount available to
188 each applicant selected for participation in the program. The
189 actual loan amount shall be determined pursuant to rule adopted
190 pursuant to s. 420.507(22)(i) ~~420.507(22)(h)~~.

191 (k) Rent controls shall ~~not be allowed on any project~~
192 ~~except as required in conjunction with the issuance of tax-~~
193 ~~exempt bonds or federal low-income housing tax credits and~~
194 ~~except when the sponsor has committed to set aside units for~~
195 ~~extremely-low-income persons, in which case rents shall be set~~
196 ~~restricted~~ at the income set-aside levels committed to by the

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197 sponsor at the level applicable income limitations established
198 by the corporation for federal low-income tax credits.

199 ~~(10) (a) Notwithstanding subsection (3), for the 2015-2016~~
200 ~~fiscal year, the reservation of funds for the tenant groups~~
201 ~~within each notice of fund availability shall be:~~

202 ~~1. Not less than 10 percent of the funds available at that~~
203 ~~time for the following tenant groups:~~

204 ~~a. Families;~~

205 ~~b. Persons who are homeless;~~

206 ~~c. Persons with special needs; and~~

207 ~~d. Elderly persons.~~

208 ~~2. Not less than 5 percent of the funds available at that~~
209 ~~time for the commercial fishing workers and farmworkers tenant~~
210 ~~group.~~

211 ~~(b) This subsection expires July 1, 2016.~~

212 Section 4. Subsection (5) of section 420.511, Florida
213 Statutes, is amended to read:

214 420.511 Strategic business plan; long-range program plan;
215 annual report; audited financial statements.—

216 (5) The Auditor General shall conduct an operational audit
217 of the accounts and records of the corporation and provide a
218 written report on the audit to the President of the Senate and
219 the Speaker of the House of Representatives by December 1, 2016.

220 ~~Both the corporation's business plan and annual report must~~
221 ~~recognize the different fiscal periods under which the~~

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222 ~~corporation, the state, the Federal Government, and local~~
223 ~~governments operate.~~

224 Section 5. Paragraphs (a) and (b) of subsection (3) and
225 subsections (4), (5), and (6) of section 420.622, Florida
226 Statutes, are amended, and paragraph (p) is added to subsection
227 (3) of that section, to read:

228 420.622 State Office on Homelessness; Council on
229 Homelessness.—

230 (3) The State Office on Homelessness, pursuant to the
231 policies set by the council and subject to the availability of
232 funding, shall:

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

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

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

243 (b) Collect, maintain, and make available information
244 concerning persons who are homeless or at risk for homelessness,
245 including demographics information, current services and
246 resources available, the cost and availability of services and
247 programs, and the met and unmet needs of this population. All

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248 entities that receive state funding must provide access to all
249 data they maintain in summary form, with no individual
250 identifying information, to assist the council in providing this
251 information. The State Office on Homelessness, in consultation
252 with the local homeless continuum of care designated lead
253 agencies and the Council on Homelessness, shall develop the
254 system and process of data collection from all lead agencies for
255 the purpose of analyzing trends and assessing impacts in the
256 statewide homeless delivery system. Any statewide homelessness
257 survey and database system must comply with all state and
258 federal statutory and regulatory confidentiality requirements
259 ~~council shall explore the potential of creating a statewide~~
260 ~~Management Information System (MIS), encouraging the future~~
261 ~~participation of any bodies that are receiving awards or grants~~
262 ~~from the state, if such a system were adopted, enacted, and~~
263 ~~accepted by the state.~~

264 (p) Provide support to managing entities, as defined in s.
265 394.9082(2), to address the needs of individuals experiencing
266 homelessness within the managing entities' geographic services
267 area.

268 (4) The State Office on Homelessness, with the concurrence
269 of the Council on Homelessness, shall ~~may~~ accept and administer
270 moneys appropriated to it to provide annual "Challenge Grants"
271 to lead agencies of homeless assistance continuums of care
272 designated by the State Office on Homelessness pursuant to s.
273 420.624. The department shall establish varying levels of grant

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274 awards up to \$500,000 per lead agency. ~~Award levels shall be~~
275 ~~based upon the total population within the continuum of care~~
276 ~~catchment area and reflect the differing degrees of homelessness~~
277 ~~in the catchment planning areas.~~ The department, in consultation
278 with the Council on Homelessness, shall specify a grant award
279 level in the notice of the solicitation of grant applications.

280 (a) To qualify for the grant, a lead agency must develop
281 and implement a local homeless assistance continuum of care plan
282 for its designated catchment area. The continuum of care plan
283 must implement a coordinated assessment or central intake system
284 to screen, assess, and refer persons seeking assistance to the
285 appropriate service provider. The lead agency shall also
286 document the commitment of local government and private
287 organizations to provide matching funds or in-kind support in an
288 amount equal to the grant requested. Expenditures of leveraged
289 funds or resources, including third-party cash or in-kind
290 contributions, are permitted only for eligible activities
291 committed on one project which have not been used as leverage or
292 match for any other project or program and must be certified
293 through a written commitment.

294 (b) Preference must be given to those lead agencies that
295 have demonstrated the ability of their continuum of care to
296 provide quality services to persons who are homeless ~~persons~~ and
297 the ability to leverage federal homeless-assistance funding
298 under the Stewart B. McKinney Act with local government funding

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299 and private funding for the provision of services to persons who
300 are homeless persons.

301 (c) Preference must be given to lead agencies in catchment
302 areas with the greatest need for the provision of housing and
303 services to persons who are ~~the~~ homeless, relative to the
304 population of the catchment area.

305 (d) The grant may be used to fund any of the housing,
306 program, or service needs included in the local homeless
307 assistance continuum of care plan. The lead agency may allocate
308 the grant to programs, services, or housing providers that
309 implement the local homeless assistance continuum care plan. The
310 lead agency may provide subgrants to a local agency to implement
311 programs or services or provide housing identified for funding
312 in the lead agency's application to the department. A lead
313 agency may spend a maximum of 8 percent of its funding on
314 administrative costs.

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

319 (5) The State Office on Homelessness, with the concurrence
320 of the Council on Homelessness, may administer moneys
321 appropriated to it to provide homeless housing assistance grants
322 annually to lead agencies for local homeless assistance
323 continuum of care, as recognized by the State Office on
324 Homelessness, to acquire, construct, or rehabilitate

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325 transitional or permanent housing units for persons who are
326 homeless ~~persons~~. These moneys shall consist of any sums that
327 the state may appropriate, as well as money received from
328 donations, gifts, bequests, or otherwise from any public or
329 private source, which are intended to acquire, construct, or
330 rehabilitate transitional or permanent housing units for persons
331 who are homeless persons.

332 (a) Grant applicants shall be ranked competitively.
333 Preference must be given to applicants who leverage additional
334 private funds and public funds, particularly federal funds
335 designated for the acquisition, construction, or rehabilitation
336 of transitional or permanent housing for persons who are
337 homeless ~~persons~~; who acquire, build, or rehabilitate the
338 greatest number of units; or ~~and~~ who acquire, build, or
339 rehabilitate in catchment areas having the greatest need for
340 housing for persons who are ~~the~~ homeless relative to the
341 population of the catchment area.

342 (b) Funding for any particular project may not exceed
343 \$750,000.

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

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

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

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

358 (6) The State Office on Homelessness, in conjunction with
359 the Council on Homelessness, shall establish performance
360 measures and specific objectives by which it may ~~to~~ evaluate the
361 ~~effective~~ performance and outcomes of lead agencies that receive
362 grant funds. Any funding through the State Office on
363 Homelessness shall be distributed to lead agencies based on
364 their overall performance and their achievement of specified
365 objectives. Each lead agency for which grants are made under
366 this section shall provide the State Office on Homelessness a
367 thorough evaluation of the effectiveness of the program in
368 achieving its stated purpose. In evaluating the performance of
369 the lead agencies, the State Office on Homelessness shall base
370 its criteria upon the program objectives, goals, and priorities
371 that were set forth by the lead agencies in their proposals for
372 funding. Such criteria may include, but not be limited to, the
373 number of persons or households that are no longer homeless, the
374 rate of recidivism to homelessness, and the number of persons
375 who obtain gainful employment ~~homeless individuals provided~~
376 ~~shelter, food, counseling, and job training~~.

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377 Section 6. Paragraph (k) is added to subsection (1) of
378 section 420.623, Florida Statutes, to read:

379 420.623 Local coalitions for the homeless.—

380 (1) ESTABLISHMENT.—The department shall establish local
381 coalitions to plan, network, coordinate, and monitor the
382 delivery of services to the homeless. Appropriate local groups
383 and organizations involved in providing services for the
384 homeless and interested business groups and associations shall
385 be given an opportunity to participate in such coalitions,
386 including, but not limited to:

387 (k) Managing entities as defined in s. 394.9082(2).

388 Section 7. Subsections (3), (7), and (8) of section
389 420.624, Florida Statutes, are amended to read:

390 420.624 Local homeless assistance continuum of care.—

391 (3) Communities or regions seeking to implement a local
392 homeless assistance continuum of care are encouraged to develop
393 and annually update a written plan that includes a vision for
394 the continuum of care, an assessment of the supply of and demand
395 for housing and services for the homeless population, and
396 specific strategies and processes for providing the components
397 of the continuum of care. The State Office on Homelessness, in
398 conjunction with the Council on Homelessness, shall include in
399 the plan a methodology for assessing performance and outcomes.
400 The State Office on Homelessness shall supply a standardized
401 format for written plans, including the reporting of data.

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402 (7) The components of a continuum of care plan should
403 include:

404 (a) Outreach, intake, and assessment procedures in order
405 to identify the service and housing needs of an individual or
406 family and to link them with appropriate housing, services,
407 resources, and opportunities;

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

410 (c) Transitional housing;

411 (d) Supportive services, designed to assist with the
412 development of the skills necessary to secure and retain
413 permanent housing;

414 (e) Permanent supportive housing;

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

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

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

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

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

- 425 1. Single adult males;
426 2. Single adult females;
427 3. Families with children;

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- 428 4. Families with no children;
429 5. Unaccompanied children and youth;
430 6. Elderly persons;
431 7. Persons with drug or alcohol addictions;
432 8. Persons with mental illness;
433 9. Persons with dual or multiple physical or mental
434 disorders;
435 10. Victims of domestic violence; and
436 11. Persons living with HIV/AIDS.
- 437 (8) Continuum of care plans must promote participation by
438 all interested individuals and organizations and may not exclude
439 individuals and organizations on the basis of race, color,
440 national origin, sex, handicap, familial status, or religion.
441 Faith-based organizations must be encouraged to participate. To
442 the extent possible, these components shall ~~should~~ be
443 coordinated and integrated with other mainstream health, social
444 services, and employment programs for which homeless populations
445 may be eligible, including Medicaid, State Children's Health
446 Insurance Program, Temporary Assistance for Needy Families, Food
447 Assistance Program, and services funded through the Mental
448 Health and Substance Abuse Block Grant, the Workforce Investment
449 Act, and the welfare-to-work grant program.

450 Section 8. Section 420.6265, Florida Statutes, is created
451 to read:

452 420.6265 Rapid ReHousing.-

453 (1) LEGISLATIVE FINDINGS AND INTENT.-

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

458 (b) The Legislature also finds that public and private
459 solutions to homelessness in the past have focused on providing
460 individuals and families who are experiencing homelessness with
461 emergency shelter, transitional housing, or a combination of
462 both. While emergency shelter and transitional housing programs
463 may provide critical access to services for individuals and
464 families in crisis, the programs often fail to address their
465 long-term needs.

466 (c) The Legislature further finds that most households
467 become homeless as a result of a financial crisis that prevents
468 individuals and families from paying rent or a domestic conflict
469 that results in one family member being ejected or leaving
470 without resources or a plan for housing.

471 (d) The Legislature further finds that Rapid ReHousing is
472 an alternative approach to the current system of emergency
473 shelter or transitional housing which tends to reduce the length
474 of time a person is homeless and has proven to be cost
475 effective.

476 (e) It is therefore the intent of the Legislature to
477 encourage homeless continuums of care to adopt the Rapid
478 ReHousing approach to preventing homelessness for individuals

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479 and families who do not require the intense level of supports
480 provided in the permanent supportive housing model.

481 (2) RAPID REHOUSING METHODOLOGY.—

482 (a) The Rapid ReHousing response to homelessness differs
483 from traditional approaches to addressing homelessness by
484 focusing on each individual's or family's barriers to housing.
485 By using this response, communities can significantly reduce the
486 amount of time that individuals and families are homeless and
487 prevent further episodes of homelessness.

488 (b) In Rapid ReHousing, an individual or family is
489 identified as being homeless, temporary assistance is provided
490 to allow the individual or family to obtain permanent housing as
491 quickly as possible, and, if needed, assistance is provided to
492 allow the individual or family to retain housing.

493 (c) The objective of Rapid ReHousing is to provide
494 assistance for as short a term as possible so that the
495 individual or family receiving assistance does not develop a
496 dependency on the assistance.

497 Section 9. Subsections (16), (25), and (26) of section
498 420.9071, Florida Statutes, are amended to read:

499 420.9071 Definitions.—As used in ss. 420.907-420.9079, the
500 term:

501 (16) "Local housing incentive strategies" means local
502 regulatory reform or incentive programs to encourage or
503 facilitate affordable housing production, which include, at a
504 minimum, assurance that permits ~~as defined in s. 163.3164~~ for

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505 affordable housing projects are expedited to a greater degree
506 than other projects, as provided in s. 163.3177(6)(f)3.; an
507 ongoing process for review of local policies, ordinances,
508 regulations, and plan provisions that increase the cost of
509 housing prior to their adoption; and a schedule for implementing
510 the incentive strategies. Local housing incentive strategies may
511 also include other regulatory reforms, such as those enumerated
512 in s. 420.9076 or those recommended by the affordable housing
513 advisory committee in its triennial evaluation of the
514 implementation of affordable housing incentives, and adopted by
515 the local governing body.

516 (25) "Recaptured funds" means funds that are recouped by a
517 county or eligible municipality in accordance with the recapture
518 provisions of its local housing assistance plan pursuant to s.
519 420.9075(5)(i) ~~420.9075(5)(h)~~ from eligible persons or eligible
520 sponsors, which funds were not used for assistance to an
521 eligible household for an eligible activity, when there is a
522 default on the terms of a grant award or loan award.

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

527 Section 10. Paragraph (b) of subsection (3) and subsection
528 (7) of section 420.9072, Florida Statutes, are amended to read:

529 420.9072 State Housing Initiatives Partnership Program.—

530 The State Housing Initiatives Partnership Program is created for

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531 the purpose of providing funds to counties and eligible
532 municipalities as an incentive for the creation of local housing
533 partnerships, to expand production of and preserve affordable
534 housing, to further the housing element of the local government
535 comprehensive plan specific to affordable housing, and to
536 increase housing-related employment.

537 (3)

538 (b) Within 45 ~~30~~ days after receiving a plan, the review
539 committee shall review the plan and either approve it or
540 identify inconsistencies with the requirements of the program.
541 The corporation shall assist a local government in revising its
542 plan if it initially proves to be inconsistent with program
543 requirements. A plan that is revised by the local government to
544 achieve consistency with program requirements shall be reviewed
545 within 45 ~~30~~ days after submission. The deadlines for submitting
546 original and revised plans shall be established by corporation
547 rule; however, the corporation shall not require submission of a
548 new local housing assistance plan to implement amendments to
549 this act until the currently effective plan expires.

550 (7) (a) A county or an eligible municipality must expend
551 its portion of the local housing distribution only to implement
552 a local housing assistance plan or as provided in this
553 subsection.

554 (b) A county or an eligible municipality may not expend
555 its portion of the local housing distribution to provide ongoing
556 rent subsidies, except for:

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557 ~~1.; however, this does not prohibit the use of funds for~~
558 Security and utility deposit assistance.

559 2. Eviction prevention not to exceed 6 months' rent.

560 3. A rent subsidy program for very-low-income households
561 with at least one adult who is a person with special needs, as
562 defined in s. 420.0004, or a person who is homeless, as defined
563 in s. 420.621. The period of rental assistance may not exceed 12
564 months for any eligible household.

565 Section 11. Paragraph (a) of subsection (2), paragraph (e)
566 of subsection (4), and paragraph (b) of subsection (13) of
567 section 420.9075, Florida Statutes, are amended, paragraph (f)
568 is added to subsection (3), paragraphs (b) through (l) of
569 subsection (5) are redesignated as paragraphs (c) through (m),
570 respectively, a new paragraph (b) is added to that subsection,
571 present paragraph (l) of that subsection is amended, and
572 paragraph (i) is added to subsection (10) of that section, to
573 read:

574 420.9075 Local housing assistance plans; partnerships.—

575 (2) (a) Each county and each eligible municipality
576 participating in the State Housing Initiatives Partnership
577 Program shall encourage the involvement of appropriate public
578 sector and private sector entities as partners in order to
579 combine resources to reduce housing costs for the targeted
580 population. This partnership process should involve:

581 1. Lending institutions.

582 2. Housing builders and developers.

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583 3. Nonprofit and other community-based housing and service
584 organizations.

585 4. Providers of professional services relating to
586 affordable housing.

587 5. Advocates for low-income persons, including, but not
588 limited to, persons who are homeless ~~people~~, the elderly, and
589 migrant farmworkers.

590 6. Real estate professionals.

591 7. Other persons or entities who can assist in providing
592 housing or related support services.

593 8. Lead agencies of local homeless assistance continuums
594 of care.

595 9. Managing entities as defined in s. 394.9082(2).

596 (3)

597 (f) Each county and eligible municipality is encouraged to
598 develop a strategy within its local housing assistance plan that
599 provides program funds for reducing homelessness.

600 (4) Each local housing assistance plan is governed by the
601 following criteria and administrative procedures:

602 (e) The staff or entity that has administrative authority
603 for implementing a local housing assistance plan assisting
604 rental developments shall annually monitor and determine tenant
605 eligibility or, to the extent another governmental entity or
606 corporation program provides periodic ~~the same~~ monitoring and
607 determination, a municipality, county, or local housing
608 financing authority may rely on such monitoring and

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609 determination of tenant eligibility. However, any loan or grant
610 in the original amount of \$10,000 ~~\$3,000~~ or less is ~~shall~~ not be
611 subject to these annual monitoring and determination of tenant
612 eligibility requirements.

613 (5) The following criteria apply to awards made to
614 eligible sponsors or eligible persons for the purpose of
615 providing eligible housing:

616 (b) Up to 25 percent of the funds made available in each
617 county and eligible municipality from the local housing
618 distribution may be reserved for rental housing for eligible
619 persons or for the purposes listed in s. 420.9072(7)(b).

620 (m) ~~(l)~~ Funds from the local housing distribution not used
621 to meet the criteria established in paragraph (a) or paragraph
622 (c) ~~(b)~~ or not used for the administration of a local housing
623 assistance plan must be used for housing production and finance
624 activities, including, but not limited to, financing
625 preconstruction activities or the purchase of existing units,
626 providing rental housing, and providing home ownership training
627 to prospective home buyers and owners of homes assisted through
628 the local housing assistance plan.

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

632 2. When preconstruction due-diligence activities conducted
633 as part of a preservation strategy show that preservation of the
634 units is not feasible and will not result in the production of

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635 an eligible unit, such costs shall be deemed a program expense
636 rather than an administrative expense if such program expenses
637 do not exceed 3 percent of the annual local housing
638 distribution.

639 3. If both an award under the local housing assistance
640 plan and federal low-income housing tax credits are used to
641 assist a project and there is a conflict between the criteria
642 prescribed in this subsection and the requirements of s. 42 of
643 the Internal Revenue Code of 1986, as amended, the county or
644 eligible municipality may resolve the conflict by giving
645 precedence to the requirements of s. 42 of the Internal Revenue
646 Code of 1986, as amended, in lieu of following the criteria
647 prescribed in this subsection with the exception of paragraphs
648 (a) and (f) ~~(e)~~ of this subsection.

649 4. Each county and each eligible municipality may award
650 funds as a grant for construction, rehabilitation, or repair as
651 part of disaster recovery or emergency repairs or to remedy
652 accessibility or health and safety deficiencies. Any other
653 grants must be approved as part of the local housing assistance
654 plan.

655 (10) Each county or eligible municipality shall submit to
656 the corporation by September 15 of each year a report of its
657 affordable housing programs and accomplishments through June 30
658 immediately preceding submittal of the report. The report shall
659 be certified as accurate and complete by the local government's
660 chief elected official or his or her designee. Transmittal of

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661 the annual report by a county's or eligible municipality's chief
662 elected official, or his or her designee, certifies that the
663 local housing incentive strategies, or, if applicable, the local
664 housing incentive plan, have been implemented or are in the
665 process of being implemented pursuant to the adopted schedule
666 for implementation. The report must include, but is not limited
667 to:

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

669 (13)

670 (b) If, as a result of its review of the annual report,
671 the corporation determines that a county or eligible
672 municipality has failed to implement a local housing incentive
673 strategy, or, if applicable, a local housing incentive plan, it
674 shall send a notice of termination of the local government's
675 share of the local housing distribution by certified mail to the
676 affected county or eligible municipality.

677 1. The notice must specify a date of termination of the
678 funding if the affected county or eligible municipality does not
679 implement the plan or strategy and provide for a local response.
680 A county or eligible municipality shall respond to the
681 corporation within 30 days after receipt of the notice of
682 termination.

683 2. The corporation shall consider the local response that
684 extenuating circumstances precluded implementation and grant an
685 extension to the timeframe for implementation. Such an extension
686 shall be made in the form of an extension agreement that

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687 provides a timeframe for implementation. The chief elected
688 official of a county or eligible municipality or his or her
689 designee shall have the authority to enter into the agreement on
690 behalf of the local government.

691 3. If the county or the eligible municipality has not
692 implemented the incentive strategy or entered into an extension
693 agreement by the termination date specified in the notice, the
694 local housing distribution share terminates, and any uncommitted
695 local housing distribution funds held by the affected county or
696 eligible municipality in its local housing assistance trust fund
697 shall be transferred to the Local Government Housing Trust Fund
698 to the credit of the corporation to administer.

699 4.a. If the affected local government fails to meet the
700 timeframes specified in the agreement, the corporation shall
701 terminate funds. The corporation shall send a notice of
702 termination of the local government's share of the local housing
703 distribution by certified mail to the affected local government.
704 The notice shall specify the termination date, and any
705 uncommitted funds held by the affected local government shall be
706 transferred to the Local Government Housing Trust Fund to the
707 credit of the corporation to administer.

708 b. If the corporation terminates funds to a county, but an
709 eligible municipality receiving a local housing distribution
710 pursuant to an interlocal agreement maintains compliance with
711 program requirements, the corporation shall thereafter
712 distribute directly to the participating eligible municipality

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713 its share calculated in the manner provided in ss. ~~s.~~ 420.9072
714 and 420.9073.

715 c. Any county or eligible municipality whose local
716 distribution share has been terminated may subsequently elect to
717 receive directly its local distribution share by adopting the
718 ordinance, resolution, and local housing assistance plan in the
719 manner and according to the procedures provided in ss. 420.907-
720 420.9079.

721 Section 12. Subsection (2), paragraph (a) of subsection
722 (4), and paragraph (b) of subsection (7) of section 420.9076,
723 Florida Statutes, are amended to read:

724 420.9076 Adoption of affordable housing incentive
725 strategies; committees.-

726 (2) The governing board of a county or municipality shall
727 appoint the members of the affordable housing advisory committee
728 ~~by resolution~~. Pursuant to the terms of any interlocal
729 agreement, a county and municipality may create and jointly
730 appoint an advisory committee ~~to prepare a joint plan~~. The local
731 action ordinance adopted pursuant to s. 420.9072 which creates
732 the advisory committee and appoints ~~or the resolution appointing~~
733 the advisory committee members must name at least 8 but not more
734 than ~~provide for~~ 11 committee members and specify their terms.
735 The committee must consist of one representative from at least
736 six of the following categories ~~include~~:

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737 (a) A ~~One~~ citizen who is actively engaged in the
738 residential home building industry in connection with affordable
739 housing.

740 (b) A ~~One~~ citizen who is actively engaged in the banking
741 or mortgage banking industry in connection with affordable
742 housing.

743 (c) A ~~One~~ citizen who is a representative of those areas
744 of labor actively engaged in home building in connection with
745 affordable housing.

746 (d) A ~~One~~ citizen who is actively engaged as an advocate
747 for low-income persons in connection with affordable housing.

748 (e) A ~~One~~ citizen who is actively engaged as a for-profit
749 provider of affordable housing.

750 (f) A ~~One~~ citizen who is actively engaged as a not-for-
751 profit provider of affordable housing.

752 (g) A ~~One~~ citizen who is actively engaged as a real estate
753 professional in connection with affordable housing.

754 (h) A ~~One~~ citizen who actively serves on the local
755 planning agency pursuant to s. 163.3174. If the local planning
756 agency is comprised of the governing board of the county or
757 municipality, the governing board may appoint a designee who is
758 knowledgeable in the local planning process.

759 (i) A ~~One~~ citizen who resides within the jurisdiction of
760 the local governing body making the appointments.

761 (j) A ~~One~~ citizen who represents employers within the
762 jurisdiction.

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763 (k) A ~~One~~ citizen who represents essential services
764 personnel, as defined in the local housing assistance plan.

765
766 ~~If a county or eligible municipality whether due to its small~~
767 ~~size, the presence of a conflict of interest by prospective~~
768 ~~appointees, or other reasonable factor, is unable to appoint a~~
769 ~~citizen actively engaged in these activities in connection with~~
770 ~~affordable housing, a citizen engaged in the activity without~~
771 ~~regard to affordable housing may be appointed. Local governments~~
772 ~~that receive the minimum allocation under the State Housing~~
773 ~~Initiatives Partnership Program may elect to appoint an~~
774 ~~affordable housing advisory committee with fewer than 11~~
775 ~~representatives if they are unable to find representatives who~~
776 ~~meet the criteria of paragraphs (a) - (k).~~

777 (4) Triennially, the advisory committee shall review the
778 established policies and procedures, ordinances, land
779 development regulations, and adopted local government
780 comprehensive plan of the appointing local government and shall
781 recommend specific actions or initiatives to encourage or
782 facilitate affordable housing while protecting the ability of
783 the property to appreciate in value. The recommendations may
784 include the modification or repeal of existing policies,
785 procedures, ordinances, regulations, or plan provisions; the
786 creation of exceptions applicable to affordable housing; or the
787 adoption of new policies, procedures, regulations, ordinances,
788 or plan provisions, including recommendations to amend the local

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789 government comprehensive plan and corresponding regulations,
790 ordinances, and other policies. At a minimum, each advisory
791 committee shall submit a report to the local governing body that
792 includes recommendations on, and triennially thereafter
793 evaluates the implementation of, affordable housing incentives
794 in the following areas:

795 (a) The processing of approvals of development orders or
796 permits, ~~as defined in s. 163.3164,~~ for affordable housing
797 projects is expedited to a greater degree than other projects,
798 as provided in s. 163.3177(6)(f)3.

799

800 The advisory committee recommendations may also include other
801 affordable housing incentives identified by the advisory
802 committee. Local governments that receive the minimum allocation
803 under the State Housing Initiatives Partnership Program shall
804 perform the initial review but may elect to not perform the
805 triennial review.

806 (7) The governing board of the county or the eligible
807 municipality shall notify the corporation by certified mail of
808 its adoption of an amendment of its local housing assistance
809 plan to incorporate local housing incentive strategies. The
810 notice must include a copy of the approved amended plan.

811 (b) If a county fails to timely adopt an amended local
812 housing assistance plan to incorporate local housing incentive
813 strategies but an eligible municipality receiving a local
814 housing distribution pursuant to an interlocal agreement within

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815 the county does timely adopt an amended local housing assistance
816 plan to incorporate local housing incentive strategies, the
817 corporation, after issuance ~~receipt~~ of a notice of termination,
818 shall thereafter distribute directly to the participating
819 eligible municipality its share calculated in the manner
820 provided in s. 420.9073 ~~420.9072~~.

821 Section 13. Section 420.9089, Florida Statutes, is created
822 to read:

823 420.9089 National Housing Trust Fund.—The Legislature
824 finds that more funding for housing to assist individuals and
825 families who are experiencing homelessness or who are at risk of
826 homelessness is needed and encourages the state entity
827 designated to administer funds made available to the state from
828 the National Housing Trust Fund to propose an allocation plan
829 that includes strategies to reduce homelessness and the risk of
830 homelessness in this state. These strategies shall be in
831 addition to strategies developed under s.

833 -----
834 **T I T L E A M E N D M E N T**

835 Remove lines 3-82 and insert:

836 420.503, F.S.; revising the definition of the term
837 "service provider"; amending s. 420.507, F.S.;
838 revising and providing powers of the Florida Housing
839 Finance Corporation relating to the State Apartment
840 Incentive Loan Program; amending s. 420.5087, F.S.;

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841 requiring program funds to be made available through a
842 competitive solicitation process; revising
843 requirements for the distribution of funds; revising
844 requirements related to state apartment incentive
845 loans; deleting obsolete provisions; amending s.
846 420.511, F.S.; revising requirements related to the
847 corporation's business plan and annual report;
848 amending s. 420.622, F.S.; revising duties of the
849 State Office on Homelessness; requiring that the
850 office, in conjunction with the Council on
851 Homelessness and specified local agencies, develop a
852 system and process of data collection for specified
853 purposes; requiring the office to provide support for
854 managing entities for certain purposes; requiring the
855 office to accept and administer moneys appropriated to
856 it to provide annual challenge grants to certain lead
857 agencies of homeless assistance continuums of care;
858 removing the requirement that levels of grant awards
859 be based upon the total population within the
860 continuum of care catchment area and reflect the
861 differing degrees of homelessness in the respective
862 areas; allowing expenditures of leveraged funds or
863 resources only for eligible activities subject to
864 certain requirements; providing that preference for a
865 grant award must be given to those lead agencies that
866 have demonstrated the ability to leverage specified

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867 federal homeless-assistance funding with local
868 government funding and private funding, for the
869 provision of services to individuals experiencing
870 homelessness; revising preference conditions relating
871 to grant applicants; requiring the office, in
872 conjunction with the Council on Homelessness, to
873 establish specific objectives by which it may evaluate
874 the outcomes of certain lead agencies; requiring that
875 any funding through the State Office on Homelessness
876 be distributed to lead agencies based on their
877 performance and achievement of specified objectives;
878 revising the factors that may be included as criteria
879 for evaluating the performance of lead agencies;
880 amending s. 420.623, F.S.; requiring that managing
881 entities be given an opportunity to participate in
882 local coalitions for the homeless; amending s.
883 420.624, F.S.; revising requirements for the local
884 homeless assistance continuum of care plan; providing
885 that the components of a continuum of care plan should
886 include Rapid ReHousing; requiring that specified
887 components of a continuum of care plan be coordinated
888 and integrated with other specified services and
889 programs; creating s. 420.6265, F.S.; providing
890 legislative findings and intent relating to Rapid
891 ReHousing; providing a Rapid ReHousing methodology;
892 amending s. 420.9071, F.S.; revising definitions;

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893 conforming a cross-reference; amending s. 420.9072,
894 F.S.; revising the amount of time in which the State
895 Housing Initiatives Partnership Program must review a
896 local government comprehensive plan; prohibiting a
897 county or an eligible municipality from expending its
898 portion of the local housing distribution to provide
899 ongoing rent subsidies; providing exceptions; amending
900 s. 420.9075, F.S.; providing that a certain
901 partnership process of the State Housing Initiatives
902 Partnership Program should involve lead agencies of
903 local homeless assistance continuums of care and
904 managing entities; encouraging counties and eligible
905 municipalities to develop a strategy within their
906 local housing assistance plans which provides program
907 funds for reducing homelessness; revising requirements
908 for local housing assistance plans; revising the
909 criteria that apply to awards made to sponsors or
910 persons for the purpose of providing housing;
911 requiring that a specified report submitted by
912 counties and municipalities include a description of
913 efforts to reduce homelessness; revising requirements
914 for the distribution of funds to a municipality
915 pursuant to an interlocal agreement; amending s.
916 420.9076, F.S.; revising requirements for county or
917 municipality affordable housing advisory committees;
918 revising reporting requirements;